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1897.

ANNALS
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THE IMMIGRATION QUESTION.

Among the many problems which the rapid and restless progress of civilized mankind has created in the nineteenth century, the problem of immigration is not the least interesting. Former centuries have known migration on an extended scale; in fact the settlement of the earth is based on it. Empires have sprung into existence and vanished by large migratory movements, to which all the present powers owe their final development. Such migration of tribes, which changed the fate of nations and states in single violent onslaughts, has been superseded by immigration, that is the change of the domicile of individuals and families in large numbers, but without any apparent union of interests or destination. It is no longer the conqueror of the former centuries who threatens with open invasion, but it is now the humble and needy applicant modestly knocking for admission, in the hope of securing at least a small share of the wealth and culture of a more affluent nation. As long as there is an abundance to divide, as long as the new-comer can be properly provided for without any serious loss to the older settler, and especially as long as the latter sees

an advantage to himself to be derived from the labor or services of the newly arrived, immigration is welcomed with open arms. The time comes, however, in which the *beatus possidens*, the fortunate possessor who came ahead of the new arrival, may be no longer desirous of sharing his abundance with another, or may have nothing further to divide, or may be unable to foresee any immediate advantage to be gained from the presence of such new arrival; and then the conflicting interests of the former settler and the new arrival may assume the proportions of a serious problem.

In addition to these purely economic difficulties there may arise the danger of social and political evil influences through the arrival of too great a number of heterogeneous immigrants, which may threaten the progress and welfare of a highly civilized nation. Then indeed, by the supreme law of self-protection, the state authorities would be obliged to interfere in the interest of the freedom, happiness and culture of their subjects. If we may judge from the denunciations hurled from some of our more popular pulpits, as well as from editorial chairs, public meetings and debates in Congress, such a critical stage in our public life has actually appeared, and our economic as well as social and political life has been and is still threatened with the greatest possible danger from such immigration.

In the four years of my official life, as chief gate-keeper of the United States, I may freely state that of the many strange and unaccountable things with which I have been brought in contact, nothing has surprised me more than the conspicuous and permanent ignorance of the public at large in reference to the actual condition of immigration matters. For more than five years the port of New York, which handles about four-fifths of the entire immigration to the United States, has enjoyed the privilege of a special immigration station, established, on a large scale and with every improvement, on Ellis Island, in the harbor of New York; nevertheless, it is found that not only immigrants

but also citizens of the United States still speak and write of Castle Garden, which was the great receptacle for immigrants for nearly forty years, as the present point of landing. For eight years the old State Board of Commissioners of Immigration, which formerly consisted of the mayors of New York and Brooklyn, the presidents of the German and Irish societies and six other commissioners appointed by the governor of the state, has been superseded by one United States Commissioner of Immigration—nevertheless, it is the common belief, shared even by a large number of editors, that a Board of Commissioners still exists for the control of immigration at this port. The same anachronism exists in reference to the immigration laws and their enforcement, and the ignorance regarding the number and character of immigrants of past years and their handling by the federal authorities, is almost as profound.

Now it is true that in years gone by we have had as many as eight hundred thousand immigrants arriving in a single year at the various ports of the United States, not counting those who simply cross over the borders of neighboring countries into the United States. It is undoubtedly true that out of that very heavy immigration a comparatively large portion became charges upon our public institutions or, through the assistance of unwise and antiquated naturalization laws, were permitted to assert an undue influence in our public affairs. It is further undoubtedly true that, during years gone by, communities and private associations in Europe freely unloaded their charges upon the United States, without the formality of any question or restriction on the part of our laws, or concern by our officials. If such conditions still obtained, or if they had prevailed during the last four years, I should have been among the first to say, "Stop it, and stop it at once, in the most energetic and efficient manner, in the interests of American liberty, American welfare and

American civilization." I am, however, in a position to declare and to prove that such unrestricted immigration has for a number of years been a thing of the past, and that heavy immigration has been made practically an impossibility for the future.

In the face of actual facts, that part of our Declaration of Independence appears indeed like a glimpse of ancient history, which records, among the injuries and usurpations on the part of the King of England, his endeavor "to prevent the population of these states, for that purpose obstructing the laws for the naturalization of foreigners, refusing to pass others to encourage their migration hither." As late as 1864, a law was passed by Congress to encourage immigration, in which no safeguards whatever were provided to protect us against the dangers to be expected from the very worst refuse of foreign population. Even in 1872, attempts were made in Congress to pass new laws promoting immigration. The first law of any restrictive character was passed in 1875 to prohibit the importation of prostitutes from China and Japan, but it was not until the year 1882 that the law to regulate the landing of immigrants in this country was passed, and in fact it was not until 1891 that any legal examination was required.

The most radical change in our laws, and in the practical enforcement of them, was introduced by the Act of March 3, 1893, which I have had the privilege of putting into practical execution on Ellis Island since the beginning of May of that year. Since that time it may be said that immigration has, in the broader sense, almost come to a standstill. The number of immigrants landed since the enforcement of the new law of 1893, that is such as may properly be called new arrivals, is actually hardly larger than the average immigration into the United Kingdom of Great Britain and Ireland. At the same time the number of immigrants debarred from landing has increased in a marked degree, although, by the provisions of the same law, the

greatest part of the really undesirable immigrants are, *à priori*, deterred from even embarking for the United States. On the other hand, the number of foreign-born persons who have become public charges on our American communities or public institutions has largely decreased; and furthermore there is, under the present law and its enforcement, no necessity and, I may say, with proper administration by our American municipal or state governments, no possibility of any alien becoming a permanent public charge. These statements may appear to be sweeping, and may create some surprise, but I am fortunately in a position to verify them.

I have taken especial pains to determine the actual immigration under the new law, and, with this end in view, I have directed the statistical force at my command on Ellis Island to ascertain in the most detailed and reliable manner the number of aliens arriving, and to arrange them according to nationalities, to determine who had been in the United States before or who came here to join members of their immediate families—that is only immigrants related in the first degree, such as children, parents, brothers or sisters. Last year this method was adopted for the entire service.

It will be readily conceded that neither of these two classes can be properly called immigrants; nor do they, if not *per se*, belong to the excluded classes liable to add to the dangers experienced through former immigration. These are the surprising figures for the port of New York:

Fiscal year.	Total landing.	In the United States before.	Came to join immediate family.	Leave as immigration proper.
1893-4 . . .	219,046	29,782	90,887	98,377
1894-5 . . .	190,928	45,280	69,637	76,011
1895-6 . . .	263,709	48,804	95,269	119,636

Finally, for the calendar year 1896, out of 233,400 arriving on Ellis Island only 108,563 could be classified as immigrants proper.

The above figures will conclusively prove to any thinking person that the total immigration to the United States has, within the last four years, fallen to such small figures as to be absolutely insignificant as compared with our own enormous population.

It is worthy of note that with such nationalities as are generally regarded least desirable, the proportion of real immigrants to the total immigration is a particularly small one. To illustrate in figures, out of 42,074 Italians in 1893-94, fully 8111 had been in the United States before and 15,101 came to join members of their immediate families, thus leaving only 18,862, a little over 40 per cent, as the immigration proper for that period. Out of 28,736 Russians the same percentage, only 12,099 may be properly called immigrants. On the other hand, out of 38,711 Germans fully 20,641, or nearly 60 per cent, were new immigrants. In this way the much dreaded immigration from nationalities more foreign to us dwindles very considerably under proper analysis. The immigration authorities readily admit that a large share of the credit for the remarkable decrease in immigration during the last few years is due to the unprecedented financial crisis prevailing. However, they also assume some share of the credit for themselves. The "lynx-eyed" officials at Ellis Island have, I may venture to say, become almost proverbial abroad and only too well known to the steamship companies and their agents, upon whom rests the full financial responsibility for all immigrants who are not "clearly and beyond doubt entitled to admission." A few significant figures will serve to indicate the direct effect of the new law and its rigid enforcement:

During the fiscal year 1891-92, out of some 445,987 landed in New York only 1727, and in 1892-93 out of 343,422, not more than 817 were excluded. In 1893-94, from a total of but 219,046, fully 2022 were debarred from landing. In 1894-95, out of 190,928 arriving, 2077 and in 1895-96, out

of 263,709, no less than 2512 were debarred from landing at Ellis Island. While in this way, notwithstanding a continually decreasing immigration, a continuously larger number of would-be immigrants was debarred from landing, the number of persons returned within one year after landing as public charges from the whole United States decreased from 637 in the fiscal year 1892 to 577 in 1893, 417 in the fiscal year 1894, 177 in 1895, and 238 in 1896. It will thus be clearly seen, from the foregoing figures, that the enforcement of the immigration laws during the last four years has been very much more efficient and beneficial than at any time prior thereto. The number of immigrants debarred from landing, as above indicated, increased absolutely and relatively, and with them increased the number of the most efficient of the anti-immigration agents, *i. e.* those who endeavored to come here in violation of the law, but were detected through the vigilance of the immigration authorities, and compelled to return to their native countries, there to spread the story of the difficulty experienced in meeting or getting around the strict immigration laws of the United States and their rigid enforcement.

As to the number of those who have been refused tickets by the steamship companies, or who have been deterred even from risking their money in the purchase of passage, it is hardly possible to estimate accurately the amount in full; however, the number has unquestionably reached hundreds of thousands during the last few years. On the other hand, as the number of those becoming public charges within one year after the time of landing and who were returned at the expense of the steamship companies, under the law, became so small, very few persons likely to become public charges could have evaded the inspection of government officials. To explain the possibility of such results it is necessary to give an outline of the methods of our present inspection, though I am convinced that no mere explanation could be so satisfactory as a visit to that unique

institution at Ellis Island, the immigrant station of the port of New York. I do not hesitate to state that it is absolutely impossible to get an intelligent idea of the letter and spirit of the present law, with its efficient enforcement, without such a personal observation.

The fundamental principle of our present immigration laws consists in placing the full financial responsibility for all undesirable immigration directly on the steamship companies. They are obliged to conduct a personal examination through their agents, of all intending immigrants, not only as to the general qualifications of age, sex, married or single, calling or occupation, nationality, last residence, final destination, but also as to the ability to read or write, whether such immigrant has a through ticket to the point of final destination, whether he has paid his own passage or whether it has been paid by another person or persons, or by any corporation, society, municipality or government; whether in possession of money, and if so, whether upwards of thirty dollars, and how much, if thirty dollars or less; whether going to join a relative, and if so, what relative, his name and address; whether ever before in the United States, and if so, when and where; whether ever in prison or almshouse, or supported by charity; whether a polygamist; whether under contract, express or implied, to perform labor in the United States; and finally as to the immigrant's condition of health, mentally and physically; and whether deformed or crippled, and if so, from what cause. The steamship companies are obliged to have complete ships' manifests, containing replies to each of these twenty questions, and sworn to by the master of the ship and the ship's surgeon, in the presence of a United States Consul, before embarkation. By a simple arrangement of dividing all passengers of a single ship into groups of thirty or less, and of providing each immigrant with a ticket, containing the numbers of the sheet and of his own entry on the same, for the purpose of identification, it is made possible to bring

each immigrant in turn before an inspector who has the sworn statements of the steamship company in reference to the immigrant before him, and is thus able to intelligently control the matter by his own re-examination. As soon as any steam or sailing vessels reach the Quarantine Station of any port in the United States, such vessel is boarded by immigrant officials, at the same time the customs officers reach her; and while the last named busy themselves in seeking to discover violations of law in the importation of merchandise, the officials of the immigration bureau inspect the ship as to her arrangements for immigrants, especially in the steerage, and conduct a general inspection of cabin passengers, because it has been found by practical experience that no small proportion of undesirable aliens come as other than steerage passengers. While this inspection is going on, the proud ship proceeds on her way through our most wonderful and beautiful Bay, which extends in all its grandeur between Staten Island, New Jersey, New York and Brooklyn; she passes the imposing Statue of Liberty and immediately afterward the immigration station at Ellis Island, which, though just under the eyes of this Statue of Liberty, for the proper protection of the country, has unfortunately to be surrounded and guarded in such a manner as more to resemble a prison than an institution of a free and enlightened country. When the ship reaches her dock, all citizens of the United States, even though coming in the steerage, are discharged by the proper immigration officials, upon the production of sufficient proof of their citizenship; while all other steerage passengers are brought in special boats provided for the purpose to Ellis Island for further inspection, according to law. Here, on the large main floor of the building erected by the government for this purpose, they pass before the critical and scrutinizing eyes of the matrons and the officers of the medical staff, who examine their physical condition. After this they must be further examined as to their

eligibility to land, by inspection officers who stand at the heads of the various aisles prepared for the purpose. It is the duty of every inspector, and to this I would call especial attention, to detain for a special inquiry every person who may not appear to him to be clearly and beyond doubt entitled to admission; and all such special inquiries are conducted by not less than four officials, acting in the capacity of judge and jury; and no immigrant is permitted admission by said board except after a favorable decision made by at least three of the inspectors sitting in such judicial capacity. It depends entirely upon the character of the immigrants, as to how large a proportion of the passengers of any incoming ship has to be detained for such special inquiry. We have had English, or German, or Scandinavian ships where 5 per cent or less did not appear to be clearly and beyond doubt entitled to admission, and where, after a special inquiry, perhaps not one of the detained immigrants had to be finally returned as undesirable through their exclusion by law; and we not infrequently have ships from Italian ports where 50 per cent and more have been detained for special inquiry, resulting in the final debarring from landing of some 20 per cent of such number. The simple fact that 24,000 cases in 1894-95 and fully 40,539 in 1895-96 (43,645 in the calendar year 1896) were brought before our Boards of Special Inquiry, speaks volumes not only for the amount of work to be performed under the present law on Ellis Island but also for the painstaking care exercised in the winnowing process.

Any immigrant who is held or sentenced to be returned is permitted to consult with counsel and friends, under proper restrictions, and to file with the commissioner an appeal from the excluding decision of the board; while in cases of special merit even immigrants who may not be eligible *per se* to admission are permitted to land if the authorization to accept a real estate bond to the amount of \$500 in each case,

conditioned that the immigrant will not become a public charge, is given by the Secretary of the Treasury.

During the entire examination, which sometimes consumes a number of weeks, the detained immigrants are properly housed and fed at the expense of the steamship company bringing them here, and, if ailing, are received in the hospital and treated, without expense to themselves, but at the cost of the steamship company. The company has also to stand the expense of returning all immigrants not permitted to land. From these facts it is obvious that the steamship companies in their own interest, will be and are very careful before issuing tickets to such persons, and that they will and do necessarily exercise especial care before issuing tickets to those whose examination alone, not to speak of the return, results in an expense which in many cases is larger than the price of the ticket. As the steamship companies hold their agents who have sold such tickets for them, responsible for the outlay in each case, it naturally follows that the agents themselves exercise greater vigilance in the conduct of their business. Still another safeguard has been provided for the protection of our country in the law a section of which requires the return of all aliens at the expense of the steamship company who come into the United States in violation of law, and that any alien who becomes a public charge within one year after his arrival in the United States, from causes existing prior to his landing therein, shall be deemed to have come in violation of law and be returned. In this manner the responsibility of the steamship companies is practically extended over one year after the landing of immigrants. However, when on proper examination it is found that any immigrant has become a public charge within one year from the date of arrival, from causes not existing prior thereto, and that he has been permanently incapacitated from earning a livelihood, he shall be returned at the expense of the Immigrant Fund, which also bears the expense for the care and

maintenance of any immigrant suffering from a disease of temporary character until the expiration of one year from the date of landing. The complaint formerly prevalent, that our almshouses, insane asylums and hospitals were overcrowded with newly arrived immigrants, will, therefore, be found to be no longer well founded. If, however, such public charges do exist, it is solely through negligence on the part of municipal or state authorities, who have failed to avail themselves of the opportunities given by law, and invariably most willingly rendered by the immigration authorities.

While I have hitherto endeavored to show that there is a rigid inspection of all immigrants going on under the new laws, and that therefore complaints which are based upon former methods and their results can no longer justly be made at this time, I do not wish it to be understood that our present laws or their enforcement are perfect or beyond improvement.

On the thirteenth of June, 1894, the Secretary of the Treasury appointed a commission consisting of three practical immigration experts to investigate and report among other points what changes, if any, in the rules and regulations now in force were necessary in order to secure a more efficient execution of existing laws relating to immigration; and this commission, of which I had the honor to be a member, recommended in its report, submitted in October, 1895, no less than twenty-nine practical amendments to the existing laws and regulations; but this same commission was and is unanimous in the opinion that the fundamental principle of the present law should be upheld and that the present laws, with certain practical amendments, under proper execution, are quite sufficient to protect this country against a too heavy or undesirable immigration. The Immigration Investigating Commission, for reasons sufficiently explained above, does not believe in the necessity of heroic measures at this time.

We do not underestimate the dangers coming from an unrestricted immigration, but we do believe, and are sincere in that belief, that there is not, and has not been for the last four years, any unrestricted immigration. Our eyes are not closed to the evils which a large foreign population, concentrated to a great measure in our larger cities, and unfortunately in many states invested with the full power of citizenship, may bring to our political institutions, nor do we overlook the fact that the competition of less civilized workmen, who have never been used to a higher standard of life, is liable in turn to lower our standard of wages. But we do believe that any and all of these dangers and evils can be more successfully overcome and avoided than by introducing such methods of restriction as are likely to exclude the most desirable immigrant, while not helping us in reference to the many millions who have already come here under the unrestricted condition of former years.

Referring especially to the evil political influence which an ignorant foreign-born population is likely to exert in our public affairs, I am personally of the opinion that the dangers from that source are very much exaggerated in a country where suffrage is distributed with so little discrimination that millions of half-savage negroes enjoy the right of suffrage, while our intelligent and highly cultured women are precluded from availing themselves of its privilege. But suppose the ignorant Pole or Italian is a more dangerous citizen than the ignorant negro, then there is nothing easier than to apply the severest test to the privilege of American citizenship, granting naturalization only to the enlightened and completely assimilated foreigner. Let us not forget that immigration is and will be first of all an essentially economic question, while naturalization is a purely political one. What in fact ought to be no more than hostility to the ready naturalization permitted in many states, turns out, by an inexcusable confusion of ideas, to be a general hostility to immigration.

A number of those interested in the subject have hoped to solve the immigration problem through the introduction of a monetary test; however, this method cannot stand any close scrutiny. The mere exhibition to the inspection officer of \$200 or \$1000 at the time of landing is not a sufficient guarantee that a person will not become a public charge within a short time, even if this money were not borrowed for the very purpose of exhibition to such inspection officer. It will be readily conceded that a young man with two dollars in his pocket, two good strong arms and an earnest intention of engaging in any kind of available work will, as a rule, find his way in this country; while a widow, hampered with a number of small children and without friends, could never convince me, even by showing as much as \$5000, that she might not within a given time become a public charge. A bankrupt merchant, unused to work, and coming over here perhaps with many hundreds of dollars, will almost invariably have to spend his last cent before finding any opportunity of earning a livelihood.

Another solution which has been proposed and much agitated, is the plan of adopting Consular certification, but, in the words of Senator Lodge, "This plan is impracticable; the necessary machinery for it could not be provided and it would lead to many serious questions with foreign governments and never be properly and justly enforced." According to the Senator's declaration, the opinion of the committee of which he was chairman is shared by all expert judges who have given careful attention to the question.

Another method, involving a higher capitation tax, is properly designated by the Senate Committee's report as a severe but somewhat discriminating method for which the country is not yet prepared.

The Immigration Restriction League has finally decided, I may say after consultation with the officials on Ellis Island, to forego all those plans which were favored in

former times and to adopt as their only demand the introduction of an educational test. I am in favor of a moderate educational test for the protection of American civilization and of the American standard of life. Illiteracy is invariably coupled with a low standard of living which inevitably leads to a lowering of wages. Under the present condition of education in Continental Europe, those nationalities which are considered as sending the most desirable immigrants to the United States, such as the Germans, English and Scandinavians, are those which show the smallest percentage of illiteracy; while the southern part of Europe and the eastern part, which show a low grade of education, furnish at the same time the least desirable immigrants. However, with the progress of compulsory education in Europe, and especially, strange as it may sound, with the progress of compulsory military service, illiteracy is rapidly waning in all Europe, and any literary educational test will, within twenty years or less, be entirely superfluous as far as Continental Europe is concerned. In the meantime it would certainly appear extremely unjust to apply such tests to persons under sixteen years of age or to females, or in any other way that might lead to a separation of families, or to an aggravation of our serious and vexed servant-girl question. With these limitations, I believe in the introduction of a limited and practical educational test, as a natural and proper addition to the present immigration laws, to be made without otherwise radically changing their fundamental character; and I may add that since October 1, 1896, I have practically introduced this test on Ellis Island without being forced by law. One of the chief reasons for the introduction of this literary test at the station under my charge was shown by my practical experiences during an official trip to Europe last summer, where I observed that the statistics in reference to the illiteracy of immigrants are, if possible, even less reliable than I have found general immigration statistics of former years.

That there is a tremendous discrepancy between the statistics as to immigrants arriving within the last quarter of a century and the results of the three United States censuses taken within the same time, is a fact generally recognized. Our Bureau of Statistics has of course been obliged to rely on information gathered in the most careless and reckless manner by so-called officials of state agencies. We are confronted with figures as to age, occupation, destination, literacy and money in the possession of immigrants which I can positively assert, from researches personally made, were, up to the enforcement of the law of 1893, based almost entirely upon guess work. Not only scholars and scientists but also legislators have been naturally misled by such erroneous premises and alleged facts to equally erroneous conclusions. Even since the enforcement of the Act of 1893, which for the first time legally required an examination and sworn statements on these points, it has been found a most difficult task, requiring more skilled material in expert statisticians than public service in the United States usually furnishes, to secure reliable statistics. Further, in reference to illiteracy, I have found by practical experience that it is positively necessary to demand some practical test in order to arrive at reliable and definite figures. The results of an actual test on Ellis Island made during the last six months shows a marked divergence from figures heretofore promulgated:

From		Per cent.
Bohemia	4.7 against	11.45
Galicia	39.	60.37
Other Austria	22.	36.38
Hungary	29.	46.51
France	3.9	4.88
Germany	1.6	2.96
Greece	13.	26.21
Italy	39.	54.59
Russia	31.	41.14
Poland	36.	47.78
Turkey in Europe	8.8	31.43

This inaccuracy in the statistics formerly furnished as to immigration is, in my opinion, one of the strongest arguments against the advisability of any heroic change in our present immigration laws which, for the first time in our history, make it possible for us to secure reliable statistics, that may be used as safe bases for scientific and legislative conclusions.

But the introduction of such an educational test cannot solve the immigration problem, the very essence of which it fails to touch.

“The immigration question,” I quote from the commission’s report, before referred to, “is pre-eminently a national one; this nation consists neither of a few large cities, which, as in all the other countries furnish only limited employment to a dense population, nor of the few states whose farms are deserted and whose manufacturing cities are overcrowded with idlers. Immigration concerns the West not less than the East, and the South as well as the North, and the only line of policy which can be consistently recommended is one which will benefit the whole country most and harm each part of it the least.

“No one can undertake to deny that an entire closing of our ports to immigrants would inevitably result in untold injury to, if not the very annihilation of, our largest transportation and manufacturing enterprises; in a disastrous stoppage of the development of great sections of the country; and in a famine of servants and menial laborers.

“There are some comparatively small densely populated sections to be sure where no immigrants or only the most highly qualified are desired; but in the larger part of this country those immigrants are still needed who are only fitted for unskilled manual labor. This is particularly true of the vast undeveloped agricultural and lumber areas of the Northwest, South and Southwest.

“At present immigrants herd together in the densely populated centres. Nearly half of the steerage arrivals at

the port of New York, for example, give their destination to the immigrant inspectors as New York City, because they know of no other place to go. That a considerable proportion of them eventually drift elsewhere, for better or worse, is evident from the figures of the census; but quite too large a proportion remain to swell the ranks of the paupers or depreciate the labor market. Only a small percentage get where they really ought to be—that is, into the work for which they are peculiarly needed. Existing conditions, in a word, exhibit a clear case of maladjustment, and the maladjustment is principally due to the lack of reliable knowledge on the part of the immigrants and their complete inability to obtain it.

“Notwithstanding the rapid mail and cable connections and the enormous transatlantic trade, the geography, topography, resources and industrial and social conditions of the different sections of the United States are practically unknown in Europe. The only information accessible to an intending immigrant is contained in the letters received by himself or his neighbors, or in the circulars of speculators and steamship and railway companies. He leaves home finally with the expectation of abundant opportunities of bettering his condition and with an eager determination to avail himself of them, but without any precise knowledge of where or how he is to do it. Under the circumstances it would be strange indeed if glib-tongued agents did not sometimes, in spite of all the vigilance of the federal authorities, induce him to invest his funds in worthless lands and played-out enterprises, or to let his labor to an unscrupulous padrone.”

Hic Rhodus hic salta, here is to be found the point where the real solution of the problem follows as a natural sequence: Let each immigrant receive the proper information, enlightenment and guidance, so that he may readily find the place where he can work with best advantage to himself as well as to his adopted country.

Give him opportunity and the knowledge to find the proper labor market, where his services are actually needed; not in competition with American labor but for the building up of all sections of this great country and of all its industries; let the farmer or fruit-grower be shown to those sections of the country where his experience and personal qualifications will secure him the largest returns, and you will very seldom hear any objection to, or outcry against, immigration. *Exclude all undesirable, and at the same time see that the most desirable immigrants are properly distributed over the country,* and there will no longer be any immigration problem.

Do not turn over the distribution of the incoming to irresponsible speculators or padrones, but place the distribution of settlers as well as of laborers under the responsible management of a National Land and Labor Clearing House, in close connection with, and under full regulation by the authorities charged with the enforcement of the immigration law. This great National Land and Labor Clearing House is the instrumentality by which the whole immigration problem can be removed for all time, by which all possible dangers from immigration can be prevented, and this nation be given all the benefits in the future which it has unquestionably derived from immigration in the past.

JOSEPH H. SENNER.

Ellis Island, New York Harbor.

THE GREATER NEW YORK CHARTER.

THE FORMATION OF THE CHARTER.

The most important local statute passed within recent years is the charter of the Greater New York, which will take effect on the first of January, 1898. It creates a municipality so large as to present a new factor in the political institutions of the country. For the first time, we have to deal with the government of a great metropolitan city with a population of over three millions. This fact gives to the charter an importance far beyond that of the ordinary municipal charter. It is an experiment which is of interest beyond the limits of New York State. Its success or failure will strongly influence the development of institutions in other parts of the country. The method followed in the formation of the charter is thus a matter of national importance. Not concerning ourselves now with the merits of the principles of municipal government adopted in the charter, let us examine the instrument as a piece of statute-making. Viewed in this light, the work of the commission and the passage of the charter by the state legislature constitute a significant episode in the history of legislation.

The scientific formulation of statutes is a subject which has received but little attention in the United States. The prevailing belief seems to be that the most superficial legal training is all that is required. Those who are more fully acquainted with the subject agree that the formulation of statutes is essentially expert work, and that adequate preparation for it involves long special training. It is of the utmost importance to the community that this work should be well done. The daily life of every member of a civilized community is carried on in conformity to general rules of conduct, embodied in statute law. Every important advance

in science, as well as every marked change in popular sentiment in matters of religion or of morals, gives rise to a new body of laws designed to meet the new conditions. No elaborate argument is needed to prove the necessity of giving and preserving to the large and constantly changing body of statute law the greatest possible coherence, clearness, brevity, and stability. In spite of this fact, our legislatures are wont to pass new laws and to change old laws with a freedom appalling to one who studies the result. The hasty enactment of ill-digested statutes produces great uncertainty in the law, and overburdens the courts with questions which would not arise, were all laws passed with due regard for laws already existing and for scientific arrangement and expression. The recklessness with which statutes are passed is shown by the mere volume of the session laws in the separate states of the Union. The laws passed by the legislature of the State of New York in 1895, cover about 2100 printed pages; and those passed in 1896, about 2600 pages. More than half of these laws, in bulk, are of a special or local character, many of them having been devised to meet some merely temporary or personal need or desire. Only very few were framed after adequate study of the great mass of existing laws upon the subjects treated of. They were drawn by hundreds of men, without regard to any general scheme either as to substance or form. After years of such law-making a state finds its statutes in a condition of almost intolerable chaos. In many cases a remedy is then sought in codification; but codes and revisions are no sooner enacted than they become the subject of innumerable amendments, proposed for the most part with a desire to serve some private end rather than the public welfare.

A result of this method of legislating is seen in the generally accepted theory that if a proposed law is at all desirable, it ought to be passed without delay, notwithstanding probable defects. Future legislatures, it is said, will be

able to perfect the law by amendments, or to repeal it, if it is found unsatisfactory in operation. But, in a certain sense, each successive form of a law is imperishable. The fact that it has been upon the statute books must be learned and reckoned with for all time by the lawyer, the courts, the student, and the historian. The meaning of present law must often be sought in the light of former statutes upon the same subject, and no such former statute may be disregarded by one who seeks to learn precisely what the present law is. Every change in the law is, therefore, an evil. It may be necessary or so desirable that none will oppose it, but, nevertheless, so far as it presents new matter to be interpreted and construed, it is an evil. It follows that good affirmative reason should be demanded for the enactment of any new law. It should be challenged and scrutinized, and the burden of proving that it ought to be passed should be placed upon its advocates.

Applying these general principles to the Greater New York Charter, viewed as a piece of statute-making, we may lay down the following general rules:

1. In the drafting of a statute, one of the first and fundamental processes is to define the terms used, in such a way that their meaning shall be free from doubt and ambiguity. Any particular combination of words should be used throughout a statute with precisely the same meaning, and any difference in expression should indicate a difference in meaning.

2. Beauty of style, harmony of phrase, and elegance of diction have not in themselves any value in a statute. The single effort in the use of language should be to make the meaning clear.

3. Several single simple propositions are clearer than a combination of the propositions in a complex proposition. Therefore, as far as possible, propositions should be stated in separate short sentences.

4. Every effort should be made to reduce to the shortest possible form the provisions to be embodied in the statute.

The volume of laws is growing in this country with such alarming rapidity that brevity is a virtue to be especially sought in the work of statute-making.

5. The precise meaning of every word should be weighed, and no word which is not necessary to the meaning, or which does not have a distinct function in the presentation of the idea, should be used.

6. Specific enumeration of a number of cases in a class, coupled with a general provision of similar import covering all the cases in the class, is not merely unnecessary; it increases the length of the statute, and gives rise to doubt and confusion by suggesting that the cases enumerated are to be treated differently from those not enumerated. Even if all possible cases are included in the several provisions, brevity is greatly promoted by the use of a general provision in place of a number of similar specific provisions.

7. Provisions which are intended to embody affirmative legislation, should be expressed affirmatively, and not in such a way as to make it necessary to evolve the affirmative provision by inference.

8. The statute should not provide for the performance of a duty without making it clear who is charged with the duty.

It is not necessary to present the numerous details of the charter passed by the New York Legislature which violate these principles, and show that the charter fails to meet the simplest requirements of a scientifically constructed statute.

Careful study of both the preliminary draft which was published by the commission in December, 1896, and the final draft, which was published and sent to the legislature in the latter part of February, 1897, lead to the conclusion that the charter presents in a striking manner the evils of our American methods of treating the difficult and important work of statute-making. Other countries may spend much time and money in elaborate inquiries and deep research as steps toward the enactment of important laws. American enterprise and quickness will not brook such old-fashioned

methods. When we want a law, we want it now; we shall want other laws next year. The growth of this tendency is well illustrated by the contrast between the way in which the new charter was constructed and the way in which "The Consolidation Act" was evolved.

On the tenth of June, 1879, the legislature passed a law providing for the compilation and revision of "all special and local laws affecting public interests in the city of New York." The work was to be done by a commission of three, consisting of the corporation counsel of the city of New York, and two others to be selected by him. The corporation counsel, Mr. William C. Whitney, named as the additional commissioners Messrs. George Bliss and Peter B. Olney, and the commission immediately proceeded with its work. The completed compilation was reported to the legislature in 1880. It was contained in two printed volumes of 2156 pages, in which the various laws were arranged in chronological order under general headings, such as "Fire Department," "Taxes and Assessments." At the head of each page and upon the margin were notes indicating the substance of the text. The compilation was accompanied by a chronological list of all statutes included, with references to the pages upon which the statutes were printed. Another table was given, with this heading "Repealed and Superseded Laws, showing the acts and portions of acts coming within the scope of this compilation which are treated as repealed or superseded, and some of the acts by which they are regarded as so repealed or superseded." This table also was arranged chronologically. In addition to the text, the commission presented an index of 170 pages.

The legislature of 1880, perceiving that this compilation led naturally to a further clarification of the laws relating to the city of New York, continued the commission with the duty of making a revision and codification of all such laws. The preliminary form of this revision was submitted to the legislature in 1881. The report which accompanied the draft

stated that the commissioners had sought advice and suggestions from all possible sources, but that more time was needed for perfecting the work, and that, therefore, they did not ask that the legislature should enact the preliminary draft. At length, in 1882, the commission reported the final form of the revision, which was enacted as Chapter 410 of the laws of 1882, under the title, "The Consolidation Act."

Each of the two drafts of the Consolidation Act as reported to the legislature contained full citations of the sources of all the parts, and was accompanied with a full and detailed index.

The contrast between the careful and deliberate work upon the Consolidation Act and the hasty preparation of the Greater New York Charter marks the advance made in recent years in our capacity to formulate the most difficult and voluminous legislation within a time which formerly would have been considered quite inadequate. The Consolidation Act was only a collection and a re-arrangement of laws actually in existence. The commission had only to determine what those laws were. The charter is in part a re-enactment of existing laws; but in many most important particulars, it provides a new form of government. The statement made by the chairman of the commission that the people of the present city of New York would find that under the new charter they were living practically under the same laws as now prevail, requires qualifications in many particulars. If, however, the charter is to be regarded as a mere compilation, it is obviously far inferior to the scientific compilation resulting from the three years of labor by the commissioners first appointed in 1879.

Probably never before was an attempt made to formulate within so short a time a piece of legislation so difficult and complicated as this charter. From the time of the passing of the law creating the commission the opinion has been freely expressed by men conversant with legislation relating to municipal government that within the time allowed, no

body of men could do the work with thoroughness at all commensurate with the importance of the subject. The commission had about eight months, but its continuous work did not extend over much more than half of that time. The commission was appointed on the ninth of June, 1896, under a law requiring it to make a final report by the first of February, 1897. In the early summer it met a few times, and adopted certain general propositions, but no comprehensive plan or framework was formulated. During the summer one member of the commission prepared with great industry the draft of a charter. This was reported to the commission's committee on draft on the twenty-first of September. After that date the committee met from time to time, and at length, on the ninth of December, reported to the commission a complete draft essentially different from the draft made during the summer.

The first eight chapters of this draft were made public by the commission on the twenty-fourth of December, with the announcement that public hearings would begin on the second of January, and would continue for two weeks. During these two weeks additional chapters were given out from time to time, as they were completed; but two or three important chapters were not made public until after the hearings, and the supplemental bills were given out only when the final form of the charter was sent to the legislature and published. Toward the end of its term the commission perceived that it could not complete the draft without much assistance. Accordingly, several lawyers were employed to draw some of the chapters, and some of these lawyers were at work while the public hearings were in progress. After the hearings, the commission found that it would be unable to report the final draft by the first of February, and an extension of time until the twentieth of February was secured from the legislature.

Undoubtedly the commission consulted a number of people, but it may be said that the work was practically carried on

in secret, the public having no information as to its progress, or as to the process by which the commission was arriving at its conclusions upon the many points of public interest involved. Inspection of the dates given above will show that it was impossible for those who were interested to prepare themselves to discuss the draft intelligently at the hearings. It could only be properly considered as a whole and after careful examination. But insufficient time was given for the examination even of the chapters published on the twenty-fourth of December, and the charter as a whole was not before the public until after the termination of the hearings. It was not the policy of the commission to distribute copies of the draft freely, and only a comparatively small number of copies were printed. The final draft, did not become accessible to the public generally until the latter part of February, when it was published by one of the Brooklyn daily newspapers.

Practically without further deliberation, the legislature has now enacted into law this complicated bill of over seven hundred pages, which had been before the public but a few weeks, and the full purport of which is probably not yet understood by any living man. It was reported without one citation of the hundreds of laws which would be amended, repealed, or modified by its passage, and without an index. Its provisions are tantamount to an express statement by the commissioners that they do not know what the existing law is, and that it must be left to the courts and to time to reconcile the charter with other laws affecting the parts of the new city. At the final hearing before the commission on the sixteenth of January, General Benjamin F. Tracy, sitting as chairman of the commission, said that a popular misconception as to the nature of the charter seemed to prevail, that it was not a constitution, but an ordinary statute, which could be amended freely, and that future legislatures could pass such laws as would remedy any defects which might develop in the charter

after it should be enacted. This statement by the chairman of the commission seems to amount to a condemnation of the charter. The first duty of commissioners appointed to deal with a mass of laws such as now applies to the cities of New York and Brooklyn, is to endeavor to remedy the evils resulting from the great confusion into which those laws have fallen, and to present their work in a form which will promise so me degree of stability. This invitation to continue the mischievous tinkering of local laws indicates that the legislature of 1898 will continue the old process of introducing confusion through amendment upon amendment.

Passing the grave questions of policy presented by the charter, and its innumerable defects in detail which might have been remedied by adequate revision, we may find in the sections dealing expressly with the enormous and confused body of existing laws relating to those political divisions of the state which are to be consolidated, ample warrant for the adverse conclusions indicated above. These features of the charter may be divided into two classes,—the provisions which re-enact existing laws, and those which repeal existing laws.

Throughout the charter are scattered provisions which declare in general terms that large classes of existing laws are to continue in force so far as they are "not inconsistent with the provisions" of the charter. The re-enacting sections cover fifteen or twenty pages in all. They appear, for the most part, to have been drawn without reference to one another, and present great diversity of form. Some of these sections are embraced in single tortuous sentences of about three hundred words.

It is evident, therefore, that the 700 pages of the charter do not truly represent the size of the instrument for the government of the Greater New York. The hundreds of pages of laws re-enacted must be read as part of the charter, with the result that the instrument would be certainly not

less than two thousand pages in extent. What parts of this great body of scattered session laws remain in force because they are not inconsistent with the charter, and what parts are repealed because they are inconsistent with it, each citizen will be compelled to determine for himself. Yet the charter itself contains a section which indicates a ready method of removing the difficulty presented by these re-enacting sections. Section 647, relating to the department of buildings, provides that all existing laws upon the subject of buildings within the city are to continue in force so far as they are consistent with the charter; that the municipal assembly may employ experts to prepare a code of ordinances relating to buildings; and that the existing laws are repealed by the charter, the repeal not to take effect until "such building code shall be established by the municipal assembly."

It is true that the immediate effect of this section will be to leave the law as to the building department in the same state of confusion as that which will prevail in relation to other departments; but the section provides a certain and scientific remedy for the evil, and contemplates the reduction to a simple, clear form, of all the law concerning the department, within a reasonable time. The method pursued in this section is not in contravention of the principle that a legislative body cannot delegate its law-making power. This point was settled by the United States Supreme Court in the recent decision holding that it was constitutional for Congress to pass a law which would take effect only in the event of the arising of a certain state of facts, the President to determine when the conditions upon which the law was to become operative had been fulfilled.

In addition to the re-enacting sections relating to the separate departments, the charter contains the following general re-enacting section:

"Sec. 1610. All the provisions of all acts of the Legislature of the State of New York, including said Consolidation Act of 1882, of a

general and permanent character, relating to the corporation heretofore known as the mayor, aldermen, and commonalty of the city of New York, in force at the time this act goes into effect, which are consistent with this act and its purposes, and which are not revised, and included in or the subject-matter thereof covered by this act, are hereby extended to the city of New York as herein constituted, so far as they are consistent with this act, and are not in their nature locally inapplicable to other portions of the city than the corporation heretofore known as the mayor, aldermen, and commonalty of the city of New York, and the provisions of law thus extended to the city of New York as herein constituted shall apply to said city throughout its whole extent, anything to the contrary notwithstanding contained in the charter of any of the municipal or public corporations or laws relating thereto, which are by this act united and consolidated with the corporation heretofore known as the mayor, aldermen, and commonalty of the city of New York."

In connection with the re-enacting provisions, which are in effect also repealing provisions, must be read the following general repealing sections:

"Sec. 1608. The act of the Legislature of the State of New York, passed July 1, 1882, known as the New York City Consolidation Act of 1882, and acts amendatory thereof, and supplementary thereto, and other acts of the Legislature of the State of New York now in force relating to or affecting the local government of the city of New York, are hereby repealed so far as any provisions thereof are inconsistent with the provisions of this act, or so far as the subject-matter thereof is revised or included in this act, and no further. So far as the provisions of this act are the same in terms or in substance and effect as the provisions of the said Consolidation Act, or of other acts of the legislature now in force relating to or affecting the municipal and public corporations, or any of them herein united and consolidated, this act is intended to be not a new enactment but a continuation of the said Consolidation Act of 1882, and said other acts and is intended to apply the provisions thereof, as herein modified to the city of New York as herein constituted, and this act shall accordingly be so construed and applied.

"Sec. 1609. The mere omission from this act of any previous acts or of any of the provisions thereof, including said Consolidation Act of 1882, relating to or affecting the municipal and public corporations or any of them which are herein united and consolidated shall not be held to be a repeal thereof."

The effect of these sections, with the difficulties of construction which they present, will be to involve the law relating to the city in inextricable confusion, and to render it quite impossible for any authority but the court of appeals of the state to determine the law with any degree of certainty.

Careful inspection of sections 1608 and 1610, will show that a citizen seeking to inform himself as to the law upon any particular point with which the charter deals, will have to answer the following questions:

1. What laws upon this subject, "relating to or affecting the local government of the city of New York," were in force at the time of the passage of the charter?
2. How far are such laws "inconsistent with the provisions" of the charter?
3. How far is the subject-matter of such laws revised in the charter?
4. How far is the subject-matter of such laws included in the charter?
5. How far are the provisions of the charter on the point under consideration the same in terms, or in substance, or in effect, as the provisions of the Consolidation Act?
6. Is the subject-matter under consideration covered by the charter?
7. If not covered by the charter, is it covered by the Consolidation Act?

Ingenuity could readily construct other questions under these sections. The questions formulated above lie upon the surface, and will arise daily, to the confusion of the citizen, the public officer, and the courts. It will be observed that these questions present precisely the same difficulties in construction as have demanded for their settlement in times past the best consideration of our highest courts.

Both the legislature and the governor have seen fit to disregard the emphatic points made against the deliberate wrong involved in the adoption of a fundamental law for the great new community open to these grave objections.

The view that it was more important to have Greater New York as soon as possible, rather than bring the city into being under conditions as favorable as time and deliberation could make them, has prevailed. To many it seemed a much smaller evil to continue the present local governments for two or three years, with all their defects, than to plunge an immense new municipality into the legal chaos which, as experience plainly teaches, may be expected to follow the enactment of the charter in its present form.

JAMES W. PRYOR.

New York City.

OVER-NUTRITION AND ITS SOCIAL CONSEQUENCES.

Observing the fact that pleasure usually arises in connection with objects that are beneficial to the organism and pain in connection with those that are harmful to it, biologists have taken it for granted that pleasure and pain, as states of consciousness, are the direct resultants of the objective stimuli with which they are associated. In the evolutionary process it is held that those organisms survive whose nervous systems react pleasantly when brought into contact with utilities, while those which do not so react are eliminated. Aside from the fact that this view furnishes no explanation of the origin of pleasure and pain, it seems to me that it does not properly account for the rôle they play in the evolutionary process. Pleasure is useful and pain detrimental, not because they reveal the qualities of objects, but because they create mental states advantageous or disadvantageous to the organism.

According to popular view the mind is a unit and controls the body through its will. In complex organisms however, even if the existence of a will be admitted, it does not exercise a direct control over the various organs. Many of them have their own nervous centres and motor forces. The great problem in the development of higher organisms, therefore, is to unify these discordant tendencies and to make the motor forces of some one centre so dominant that they control and direct all the others. This psychic control determines the power which organisms have to co-ordinate their movements for definite ends. I use this phrase, psychic control, to avoid the difficulties which discussions of the will involve. The theory of a will is an attempt to account for the facts which psychic control reveals.

But what creates this psychic control through which unity of action in complex organisms is secured? My answer to this question is that pleasure is the agent through which a subordination of many motor centres to some one centre is secured. I will therefore present a simple hypothesis to explain the way in which pleasure tends to increase the co-ordination of movements and thus to secure a better adjustment of an organism to its environment.

If an organism enters an improved environment or increases its power to assimilate food, additional motor energy is generated that must find an outlet. If this organism is already well fed, more motor energy will be generated than can be carried over the motor nerves to the muscles. Over-nutrition thus creates a plethora of nervous energy which must be used up in some way. Under normal conditions each motor current passes to some muscle and moves the body. But if the nerve reaching this muscle is through bifurcation connected with two motor centres, each of which has a store of surplus energy, a conflict will arise between the impulses coming from them. Both currents cannot pass along the single portion of the nerve at the same time. If these currents are of nearly equal strength an alternating redundant activity results in the nerves which bring the currents from the two centres to the point of juncture. All of the two currents can not be carried from this point to the muscle. The obstructed part of the one current forces back the other current and then a reaction takes place and the second current forces the first current back towards the place where it originated. An alternating discharge and recoil take place. That part of the two currents not carried to the muscle is in consequence employed in the continuation of this process. A part of each current is lost in friction without producing any bodily motion. Surplus motor currents are thus put to a use for which they were not primarily designed. This new expenditure of energy I regard as the cause of pleasure.

Over-nutrition, surplus energy, rhythmic or alternating motion, and pleasure are different steps in one series.

There are many facts which seem to verify this hypothesis. Vivid pleasures tend to paralyze or charm the person enjoying them by inhibiting the motor forces or diverting them from their normal channels. In the case of laughter a sudden transition of thought checks the flow of a motor current along its expected channel and creates a rhythmic motion in its passage along some new channel. When we feel energetic and have a superabundance of vital force all activity is pleasurable. So much motor force is generated that it cannot pass along its accustomed routes to the muscles. The accumulated energy seeks new outlets along other nerves, causing in this way the rhythmic reactions which create the feeling of pleasure.

There are thus two tendencies at work in the motor centres, the one to create pleasure, and the other to create activity. The centres which have no adequate outlets for the motor currents generated expend their energy in creating pleasure and exert but little influence on the movements of the body; while those centres having adequate outlets for their currents gradually acquire a control of bodily motions and in time determine the activity of the organism. In this way those parts of the body which assimilate more food than they need become static and lose their power to move the organism; while the other parts of the organism through this very change will become more active and grow in size. Pleasure centres are thus degenerate motor centres. At an earlier stage of development their power over bodily activity was perhaps as great as that of the present motor centres, but by generating more motor energy than can be conveyed to the muscles they are changed into pleasure centres and lose control over the body.

This degeneration of motor centres into pleasure centres is the cause of psychic control. Suppose that a low organism had four motor centres, A, B, C, D, having

equal power to determine the motions of the body. These centres would have different tendencies to produce pleasure. The best supported parts of the body would generate the most motor force. Here the outlet for the motor currents would be insufficient and hence rhythmic reactions causing pleasure would appear. If centre A were located in such a part it would degenerate into a pleasure centre and leave the control of the body to the other centres.

The same tendencies causing the centre A to degenerate into a pleasure centre would continue to operate, and in time a differentiation would take place in the remaining motor centres. If centre B now had a stronger tendency to create pleasure than bodily motions, it would also sink into a pleasure centre and leave the control of the organism to centres C and D. A further differentiation would reduce the centre C to a pleasure centre and leave the centre D in control of the organism.

The effective co-ordination of the motor centres in a higher organism is not the result of uniting the many motor centres of a lower organism under a new and higher centre. Centres A, B, C and D, do not for example become subordinated to centre E; the stronger influence of pleasure on centres A, B and C caused them to degenerate and leave centre D in control of the organism. Centre D controlled only a small part of the original organism but this part has developed until it is now the major part of the present organism. The present pleasure centres are remnants of its former rivals in the struggle for psychic control.

While the pleasure centres lose their power to move muscles they do not lose their influence over bodily activity. Their power is exerted by sending their currents to consciousness, instead of to the muscles; they create the desires and passions of the organism through the liberation of their stored-up energy. Whatever arouses their activity concentrates the attention upon their needs and thus compels the motor centres to carry out their commands. The

resulting desires and passions create a vivid impression in consciousness and arouse the motor centres needed to produce bodily motions. Pleasure not only increases psychic control but also creates the motives which control the mind; without its influence the development of the higher organisms would be impossible. From an economic standpoint the end of an organism is pleasure. From a biological standpoint, however, pleasure is a means of securing the subordination of the parts most susceptible to its influence. In this way psychic control becomes complete; the clear ideas of the mind determine the activity of the motor centres through the desires and passions they arouse.

It will add to the plausibility of my hypothesis if it can be shown that pain has a similar origin. Pain like pleasure is caused by the motor currents; it is the opposite of pleasure only in the sense that it destroys the psychic control which pleasure creates. It frees the lower centres from the control of the higher centres and causes them to act as if they were parts of a lower organism. The parts of a higher organism under severe pain move as though they had that independence which they do have in lower organisms. Each lower centre expends its energy in creating local motion instead of massing its motor force with that of other centres and thus producing well directed movements. The hand may grasp an object more firmly and quickly than if there were no pain, and the motion of the leg may be more energetic; but the two movements are not in harmony and produce no net advantage for the organism. In fact, these movements often injure the organism and may even destroy the part showing such aimless activity; the hand may grasp a knife and the leg may strike a hot body.

This destruction of psychic control is due to some derangement in the higher motor centres. The currents which should go to the lower motor centres are diverted into other channels. The only other route for these diverted

currents is over the sensory nerves. In this way the currents which should reach and control the lower motor centres find an outlet. For the time the sensory nerves are changed into motor nerves and are made to carry currents for which they are not fitted. The direction of the current in the sensory nerve is reversed and when the current arrives at the end of the nerve there is no fitting connection by which the current can be changed into muscular activity. It must break over the intervening obstacles as an electric current jumps over a break in the wire.

Pain, in my opinion, is due to this sudden transformation of sensory into motor nerves. In a rudimentary organism the sensory and motor nerves are similar and the direction of the nervous currents is almost a matter of chance. Any point on its surface can be easily moved and its position can be changed only by a multitude of slight spasmodic motions. A well co-ordinated movement is impossible since a motor current can pass to the surface over any of the nerves, thus producing many slight irregular motions instead of a few well-directed ones. In the higher animals, the motor nerves are distinct from the sensory nerves and it would be only on extraordinary occasions, or in diseased states, that the motor currents transform the sensory nerves back to their primitive condition, making them a means of creating motion at the surface instead of creating sensations at the centre of the nervous organization.

The belief that pains are due to the exit of motor currents over the sensory nerves is strengthened by the fact that activity relieves pain. It causes the motor currents to return to their normal channels and thus relieves the pressure on the sensory nerves. Groaning, crying, walking and other movements always reduce violent pains. Sorrow, depression and melancholy are relieved by any centrally excited activity. Mechanical activity caused by the lower centres will reduce pain, less than conscious activity. It is the motor currents of the higher centres that are diverted

to the sensory nerves. A new environment or a new form of exercise demanding conscious attention is, therefore, the best means of restoring the normal condition of the nerves.

That pains are due to the exit of motor currents over unaccustomed routes is also shown by the muscular activity which accompany them. These movements are not the conscious co-ordinated activity produced by motor currents from the higher centres passing to the muscles over the motor nerves. Pain distorts the body, produces irregular movements, and causes spasmodic contractions of the muscles. Motions are also produced in parts of the body not controlled by the motor nerves. In the higher organisms the motor nerves do not reach all parts of the body, and hence slight motions or tremors of wide distribution must be created by currents over the well distributed sensory nerves. The maximum of diffused disconnected activity is reached by each lower motor centre acting for itself, while the currents from the higher motor centres find an outlet over the sensory nerves. The whole nervous system is thus transformed into a motor mechanism and the organism reverts into a primitive condition, that is, a condition where there is no psychic control.

It may be that all nerves had in the beginning motor functions. The first nervous reactions were probably between the digestive and motor tissue. After the digestion and assimilation of food, surplus energy was generated which passed off through the motor nerves. The adjustment of such an organism to its environment is accidental; it has no power to protect itself from external evils. Nor can it know anything of this environment except through shocks so violent as to cause the whole organism to vibrate. With no definite routes over which these vibrations may be communicated, the weaker vibrations are not perceived or at least they are not differentiated from one another and accurate indications of outer objects are not given. Even in higher organisms these crude shocks are still

perceived and often made use of. A deaf man can often improve his hearing by holding in his teeth an object capable of propagating sound vibrations. Persons whose optic nerves are injured can still detect the presence of light. The X-rays show us how easily such vibrations pass through an organism. In similar ways many of the vibrations could affect an organism even if it had no sensory nerves. Rude shocks or the condition of the digestive tract could excite motor activity even if there were no developed sensory mechanism.

The nervous arc arises only after the motor nerves become so connected and differentiated as to create organs with definite functions. Their growth gives to certain motor nerves the control of bodily activity and thus deprives the weaker nerves and organs of their original function. The sensory nerves are these weakened, degenerate motor nerves put to a new use. No longer able to secure for themselves a part of the surplus motor energy, they become the means by which the vibration of outer objects are communicated to the nervous centres. Nervous tissue can carry these vibrations better than can the other tissue, and thus reversed currents are created which arouse the motor centres and excite them to activity. In this way a nervous arc is formed and the organisms respond to external stimuli more promptly and intelligently than they otherwise could. The primitive motor discharges are developed into sensory-motor activity, when some of the weaker motor organs are differentiated into feelers, and used to give indications of adjacent objects. The sensory organs might therefore with propriety be looked upon as the "dragging legs" of an organism. As they become less plastic and less mobile they are better able to reproduce at the higher centres the vibrations coming from outer objects. Pain aids this differentiation of the motor and sensory nerves by causing those activities to be inhibited which send motor currents to the sensory nerves. It can be said, therefore, that the

organic end of pain is to promote the differentiation of sensory and motor nerves just as the organic end of pleasure is to secure psychic control. Pleasure indicates psychic control; pain reveals its absence. As the different degrees of psychic control shade off gradually into each other, pleasures and pains seem to be but a part of a single scale and thus have the appearance of qualities.

There are, then, two distinct sources of motor activity. Its primary source is in the assimilation-motor system. The food an organism digests becomes stored up energy which is expended either in creating pleasure or in moving muscles. It is easy to conceive of a creature with no knowledge of the external world such as the sensory system gives. Its movements would be due either to the condition of the digestive tract, to violent shocks, or to the pleasure of mere activity. The last would be of the same class as play in more developed animals. It would be activity for its own sake without regard to any end that it might secure. Hunger, fear, satiety, and pleasure would be the feelings dominant in such a creature. All its adjustment to external conditions would be accidental. It could not live unless food were abundant, enemies scarce, and the dangers from natural forces at a minimum.

The end of the assimilation-motor system is life and pleasure; the end of the sensory-motor system is survival. The important objects in the external world are not the atoms and natural forces into which it may be decomposed, but the aggregates into which these atoms and natural forces are united. I use the term "aggregate" in its most general sense to include rocks, minerals, soils, seas, plants, animals, storms, moisture, climate or any other form, temporary or permanent, into which the elements of nature are united. Survival depends on the utilization of certain of these aggregates and on the avoidance of others. The sensory-motor system develops to meet this end. The sensory system pictures these aggregates and the motor system is so

adjusted to it that the proper motor reactions are excited by the presence of each aggregate. The assimilation-motor system thus begins with the digestion of food and ends in pleasure and activity. The sensory-motor system begins with vibrations coming from external objects and ends in definite motor reactions useful to the organism. The effects of the assimilation-motor system appear in consciousness as pleasure and pain, those of the sensory-motor system as clear ideas. The ideas the latter system brings to consciousness, being the more important, receive more conscious attention and can be contrasted and classified in a more definite manner. They seem, therefore, to be the fundamental series of ideas. It is easy to give them a first place and to regard the less clearly defined ideas of the assimilation motor system as mere modifications or qualities of the sensory concepts. Pleasure, for example, is thought to be a quality of colors, tastes and other sensory concepts aroused by the contact with external aggregates.

This conclusion is sound from what might be called a sensory-motor standpoint, but from an assimilation-motor standpoint sensory activity is merely a modification of motor activity. Instead of having a mass of aimless movements which cause pleasure but no adjustment, one group of motor nerves is so modified that they direct the activity that other motor nerves create. Some of the many motor organs or legs of the early forms of life degenerate into feelers that furnish indications of the adjacent aggregates and then a further generation turns them into sensory organs that give accurate information of external objects. Perception thus normally ends in complex motor reactions just as assimilation normally ends in pleasure. Life is promoted and enriched by causing the motor currents to produce pleasure while survival is furthered by using them to produce definite motor reactions.

A person eating an article of food has two series of impressions: the one, coming from direct contact with the object, creates the motor reactions we call pleasure; the other,

coming over the sensory nerves, gives a knowledge of the object and its relations to the consumer. These two series blend in consciousness, and it is therefore possible to regard either of them as fundamental, and the others as qualities. The assumption of the utilitarians that pleasures have degrees and qualities by which they can be measured, tacitly assumes that the sensory impressions are qualities of pleasures. How, for example, can anyone distinguish between first and last increments, and between initial and marginal utilities, except through the sensory impressions of the objects consumed? The doctrine of degrees and qualities of pleasure is sound so long as economic goods giving sensory impressions are under consideration, but strip an object of its sensory qualities and the definiteness of the utilitarian calculus disappears. In other words definite measurements are always in terms of clear ideas, and clear ideas belong to the sensory side of the mind. If I am right in putting pleasure among the motor feelings it can not be accurately measured except in the case of material goods which at the time they create pleasure also create a series of sensory impressions blending in consciousness with the pleasure and making it susceptible of measurement.

Another error, which has crept into the reasoning of the utilitarians, is due to the fact that they were economists. They assume that all pleasure arises from consumption and thus ignore the pleasures of activity. To an economist activity is work and work is disagreeable. So long as men are engaged in a severe struggle for existence this view is practically true. The ideal of the overworked is a haven of rest where they can repose and consume. But however true it may be that activity has disagreeable associations in the grind of an economic world, it is wrong to raise such a fact to the rank of a general principle and to base a theory of progress upon it. The incompleteness of such a generalization cramps the development of the doctrines which depend on it and creates a wrong concept of

social progress. Utilitarianism at bottom is a species of economics and has all the advantages and limitations which go with other economic investigations. If utilitarianism is sound as a moral doctrine, it is because an economic interpretation of social progress is correct.

To appreciate the progress that economic conditions create we must first of all understand how the economic struggle promotes psychic control. Assimilation, I have shown, normally ends in pleasure, and pleasure is the means by which psychic control is increased. Pleasure harmonizes the discordant motor tendencies and causes them to act together in an efficient way for the ends of the whole organism. Assimilation, the first link in the chain that leads to psychic control, demands the presence of food. Without an abundance of subsistence there is not enough assimilation to generate pleasure; and without pleasure there is no psychic control and hence no unity of action between the various parts of the organism. The underfed, being at a disadvantage, are gradually eliminated through the struggle for food.

The displacement of individuals that promotes psychic control is secured by under-nutrition. It wipes out those who have the least psychic control and leaves those with greatest psychic control in possession of the economic world. Complete nutrition and assimilation, however, can do no more than create psychic control, and when this end is secured increased consumption no longer contributes to social progress. The succeeding steps must depend on the increase of social control. All the individuals in a community must act together and obey similar impulses. There must be the same unity of action and harmony of motives in society that psychic control creates in the case of individuals.

In looking for the causes of social control we need not go outside the field of economics. The same causes are in operation, but they show their effects in another way. At

bottom the difference between the new form of progress and the old is that psychic control is improved by the elimination of the underfed, while social control is created by the elimination of the overfed. A more striking way of putting this contrast would be to say that men are killed off either by starvation or by dissipation. The underfed starve and the overfed lose their economic advantage through indulgences that weaken their psychic control and reduce their energy. Over-nutrition is as dangerous as under-nutrition and fully as fatal. Through the increase of psychic control and the industrial efficiency that goes with it, men are able to secure more nutrition and thus approach the line of complete nutrition; but this line must not be crossed. To avoid the latter evil the surviving part of society modify their consumption so that even with their increased efficiency they never cross the fatal line.

It should be noticed that survival depends upon two conditions. In the direct struggle with their fellows those have an advantage whose energy and psychic control is the greatest and this, in economic terms, means those who have the greatest productive power. This advantage is lost or turned into a disadvantage if so many goods are produced that their consumption leads to over-nutrition or to any form of over-stimulation. Social progress, therefore, demands a steady improvement in psychic control through which the productive power is increased and a corresponding modification of consumption in such ways as will avoid over-nutrition. These two ends are harmonized only through an increased variety of consumption.

Every increase in this variety creates new motives and thus stimulates an increase of psychic control and at the same time the more refined forms of consumption give less nutrition in each of its parts and thus the new whole, although larger and more varied, is not the source of over-nutrition.*

*For a full statement of this thought the reader is referred to the writer's monograph on "The Consumption of Wealth." Publications of the University of Pennsylvania.

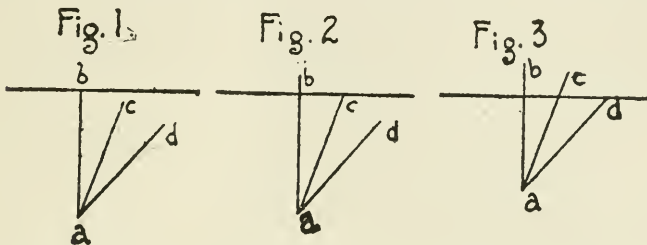
No matter how great the efficiency and energy of an individual he can always avoid crossing the line of complete nutrition by modifying his consumption so as to include in it a sufficiently large number of ingredients. Any increase of efficiency among the wellfed must result in over-nutrition if the intensity of old wants is not reduced and if new ones of greater intensity are not acquired. Those who persist in the old habits fall victims to dissipation and disappear. The surviving portion push along the line of complete nutrition and acquire habits, instincts and inclinations that prevent them from crossing the line of over-nutrition. The socialization of men is the result. Every increase in the variety of consumption creates new bonds between the various members of society and prompts them to create new institutions through which a more complex life can be enjoyed without the temptation of over-indulgence. The original economic aggregates into which men unite for industrial ends are thus transformed into true societies where new habits and modes of thought are acquired.*

The moralization of men has the same cause. The purely selfish man uses his increased psychic control to satisfy his personal wants. This tendency leads to over-nutrition and dissipation as soon as his industrial efficiency is enlarged. The most selfish among the wellfed are gradually weeded out and the surviving part of society becomes more altruistic. The inefficient man may be greedy and lustful and still survive, strong motives being needed to keep him at work. Greed and lust must, however, decrease with the increase of productive power. The more efficient will suffer from the over-nutrition which an enlarged income permits, or fall victims to dissipation and vice.

In the diagrams let the horizontal line be the line of complete nutrition, which must be reached but not crossed.

* See the writer's "Theory of Social Forces," pp. 85-99. Publication No. 163 of the Academy. Also issued as a supplement to the ANNALS, January, 1896, Vol. vi, No. 1.

The length of the vertical lines shows the amount of productive power and hence the income of three individuals—*ab*, *ac* and *ad*. The slant of these lines shows the amount of their altruistic effort, and hence the amount of skill and energy which is not centered on themselves. In Figure I,



and will not be injured by his selfishness although full of greed and lust. The other two cannot survive under these conditions, because their energies being partly used for the benefit of others leaves them short of complete nutrition. In Figure II where the productive power of the three men is greater, the most selfish, *ab*, will indulge in dissipation and be eliminated. A less selfish man, *ac*, now survives, but the more altruistic man, *ad*, still fails to secure complete nutrition. When, however, the productive power of these men is again increased (Figure III), the more altruistic man, *ad*, can hold his own. Both the others will cross the line of complete nutrition and suffer from over-nutrition. Every subsequent increase of productive power and income must produce similar effects and make a higher degree of altruism necessary for survival. The moralization of men thus accompanies their socialization and the two when united form the main bulwark against over-indulgence and dissipation.

These facts show that psychic control and social control are parts of the economic process by which an adjustment to external conditions is acquired. If a people have been

for a long time subject to the dangers of starvation they acquire great psychic control; if they are continuously exposed to dissipation, to vice and to the evils of over-nutrition, they gain additional social control. There is thus a measure of both these agents in the objective conditions which determine the consumption of each race. At bottom they are problems of nutrition and capable of the same treatment as other economic problems. To isolate them from their economic background is to deny them the possibilities of scientific discussion and to introduce an irrational element into the discussion of social problems.

A notable example of this tendency is furnished by Mr. Kidd's "Social Evolution." There is never, he thinks, any cessation of that strenuous process by which the least efficient are exterminated. Competition and rivalry necessarily result in the suffering and failure of a large part of those struggling for life. Those who fail have no share in the social progress secured by their elimination and their welfare demands that it cease. The interests of individuals and that of society are therefore irreconcilable. Reason would ultimately stop all further progress if it were not controlled by religion. It should be noticed that this reasoning assumes that the elimination takes place only among the underfed. The thought is emphasized that the unsuccessful are battling with hunger. Want, misery and failure are on every side and to their effects all social progress is due.

Even if these facts be admitted social progress cannot be attributed to them. Over-population and misery, by eliminating the least efficient, may promote psychic control but they never create social control. There are variations among the wellfed as well as among the underfed and the same struggle exists among these varieties as among the underfed. The more selfish exploit present conditions and are eliminated through the effects of over-nutrition. The less selfish vary their consumption and enter into new social relations to check their tendencies towards over-indulgence.

Mr. Kidd assumes that selfishness and the resulting over-indulgence among the wellfed have a rational sanction, but that a varied consumption which prevents over-nutrition has no sanction. This odd conclusion shows a lack of knowledge of economic science and of the utilitarian calculus upon which it depends. It is so much in the wrong that the opposite of it can easily be proved. It is the irrational man who is selfish and chooses present indulgences. He only is rational who avoids them. He lengthens his life and increases the sum of his happiness by a varied consumption through which over-nutrition and its evils are prevented.

It is not, therefore, for the interest of the lower classes to stop progress; the exploitation of the masses does not advance civilization, nor is it a necessary feature of progress. If this exploitation should cease and the evils of poverty be remedied there would still be a tendency to create variations among individuals, and those who avoided the evils of over-nutrition would have an advantage. The race under these conditions would advance more rapidly than before. The weeding process exerted by over-nutrition and dissipation fails to work among those who suffer from poverty and starvation.

The social consequences drawn by such writers as Mr. Kidd depend upon a defective statement of the theory of evolution. Premises definite enough for the purposes of biology become inadequate when used in social philosophy. The reasoning of Darwin is usually stated in this form:

- 1st. The rapid multiplication of the species.
- 2nd. The struggle for existence.
- 3rd. The survival of the fittest.

There is a lack of sequence between the second and third step. Logically the struggle for existence only ends in the survival of the wellfed. A wellfed animal may perhaps be called a fit animal but the same cannot be said of a wellfed man. It is the social and not the bodily qualities of a man

that determines his fitness. To meet this new condition the steps of reasoning must be modified as follows:

- 1st. The rapid multiplication of the species.
- 2nd. The struggle for existence.
- 3rd. The survival of the wellfed.
- 4th. The degeneration of the overfed.
- 5th. The modification of desires.
- 6th. The survival of the fittest.

Another defect in the reasoning of the biologists is a source of error if overlooked by those who would apply this reasoning to social affairs. The appearance of variations and the struggle for food may account for the rise of new species, but it does not account for the permanence of types. The struggle for existence by cutting off the underfed would by itself create a moving equilibrium but not the stable characteristics which static species show. Biologists have been more interested in the rise of new forms of life than they have been in the question as to why certain types persist. It is necessary, however, to explain not only the origin of species but also the causes for the persistence of certain species, little modified by the struggles for existence of their members.

An enduring species must be acted on by more than one force. An equilibrium results when two forces counteract each other. The elimination by under-nutrition, if operating alone, would soon change the character of a species. This change of type is checked by any process which cuts off the variations which the elimination of the underfed promotes. A permanent type must be under two restraints which so limit the possibility of variations that the main peculiarities of the type are preserved. Then only those variations can perpetuate themselves which are in harmony with the main conditions upon which the success of the type depends.

Among men the two restraints on variation giving stability to men's characters are under-nutrition and over-nutrition. By eliminating both extremes among men they

tend to reduce men to a single type. There is a leveling up to the standard of this type by the destruction of the underfed and a leveling down to this standard by the destruction of the overfed. The net result is a uniformity of character and an equality of conditions. The farther this process is carried the more social men become. There arises a vivid consciousness of kind and an intense admiration of democratic ideals. By these means the race is bound together and the motives created that induce individuals to subordinate their interests to those of the public. There is, however, nothing irrational or even non-utilitarian in the process. The adjustment to planetary conditions is economic and is determined by the conditions of consumption.

A theory of consumption includes all the means by which men acquire intenser motives and desires without overstimulation or over-nutrition. The whole economic process thus includes many distinct processes some of which lie in a field seemingly apart from it. There is first the process of psychic concentration or psychic control through which a unity of action is acquired. Akin to this is the process of visualization which includes the sensory mechanism through which the environment is objectified and clear ideas of it acquired. There is also the process of pleasure objectification. Pleasures are motor phenomena. If they appeared in a pure form, they would seem incommensurable and isolated from the economic goods upon which survival depends. When, however, pleasures are blended in consciousness with the sensory concepts arising from contact with material objects they seem to be objective and capable of comparison through the sensory concepts associated with them. They thus become measurable motives and the source of conscious endeavor. There is next the process of industrialization, which includes all attempts to minimize efforts and to reduce the amount of pain. These topics are fully treated in ordinary economic textbooks and need no further emphasis. The final processes are those of

socialization and moralization. They represent the last stages in the process of adjustment and when they are complete the goal of economic progress is reached.

At first sight this view of economics seems to make it an all-inclusive science. A closer examination, however, shows that as much has been cut out of it as has been added to it. The very definiteness with which the economic process is conceived shows that it must be supplemented, even though sociology and morality are not the supplements demanded. What we need is not a higher science but one that treats of more elementary phenomena—the ultimate psychic causes upon which the economic process depends.

It would be well to contrast the economic self which utilizes the environment and aids organisms in their adjustment, with the non-economic self whose activity is purely motor and whose end is more than mere adjustment to planetary conditions. The first is the self of the sensory-motor system; the second is the self of the assimilation-motor system. This second self is inherently as capable of development as the first but it cannot develop so long as economic conditions dominate the organism and limit the scope of its evolution. It must therefore remain in a rudimentary condition while men are in an economic world and struggling for survival.

There is, however, always a fringe of activity due to pure motor tendencies, even for those deepest immersed in practical affairs. This fringe is largest and most noticeable in the case of children. In them pure motor activity becomes play and thus a wider range of motor activities is encouraged than is demanded by the sensory environment upon which survival depends. Play is not due to survival impulses but to pure assimilation-motor impulses; the desire of activity for its own sake and not for the protection or benefit which it may afford. Such activity is more elementary and comes earlier than that of the sensory-motor impulses created by planetary evolution. Could it become the dominant activity the non-economic self would reveal

its possibilities and a series of social and moral sciences would appear independent of those that the economic process has created. As it is, however, this series of sciences being merely an embryological possibility is a source of confusion. There is a strong tendency for investigators to start with the rudimentary phenomena of this series and to patch them out with the more definite phenomena due to the sensory-motor activity of the economic world. Such attempts give a wrong notion of the lines along which the non-economic self would develop if it were free from the domination of economic conditions and at the same time give a false basis for the social and moral development of existing societies. The result is that the social and moral sciences are severed from the economic process of which they are a part and grafted on the rudimentary stubs of the possible sciences in these fields which the activity of the non-economic self might create.

It would be nearer the truth to recognize that individual variation comes from the activity of the non-economic self but that social types have an economic origin. An individual variation cannot develop into a type unless the variation is the source of some economic advantage. A non-economic variation cannot perpetuate itself and hence fails to transform itself into a type, and without social types there can be no developed forms of society or of morality. The non-economic self can do no more than produce individual variations. Only the economic self can determine whether these variations are suited to its ends, and thus capable of being transformed into a social type. To one of these selves all variations are due and to the other all the social types. They thus supplement each other and create a progress of which either by itself is incapable. It may sound paradoxical to say that economic progress is due to non-economic impulses, yet the statement contains a truth which it is difficult to express in other terms.

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ROUSSEAU AND THE FRENCH REVOLUTION.

Among the many crises in the world's history few have attracted the attention of historians and political writers as has the French Revolution. Nor is it remarkable that all who are interested in problems of government should inquire carefully into the causes and history of the movement from which constitutional rule in France has developed, and which is to-day considered the source of whatever democratic institutions Continental Europe possesses.

No less noticeable than the number of authors who have treated the period, is the variety of causes to which the final outbreak has been attributed. One writer has considered it an outgrowth of the spirit of rationalism in Europe; another has regarded the movement only as the natural revolt of an oppressed people; while a third, it may be, has seen in it a special visitation of Providence upon a corrupt and wicked government.

In all discussion of causes, there is great danger that essentials and non-essentials may be confused. Forces which powerfully affected the work of reconstruction, but were of little influence in earlier years, may be considered the chief factors aiding the downfall of the *ancien régime*. This cannot be illustrated more effectively than by comparing such causes as the financial weakness of the Bourbon monarchy, and the political condition of its subjects. If a series of corrupt administrations had produced a deficit so large, and a discontent so universal that some change was necessary, it was probable from the political methods in which France had been trained, and from the absence of any centres of resistance between the king and the individual citizens, that the change would be a radical one. It is not to be denied that literary France exerted an influence in hastening the revolution, for in every country whose

institutions are decaying, writers appear who devote themselves to portraying abuses, as well as to elaborating new systems. Some of the most influential Frenchmen entered this field of complaint with an effect that cannot be ignored. In a country, however, where the theory of absolute government is so universally accepted as it was in France, under the Bourbons, and where so much is endured rather than to disturb theoretically perfect conceptions, there is, it would seem, little opportunity for the development of a new ideal into an active force, until the old has been proven extremely defective.

In marked contrast with the hesitancy with which the French recognize fatal defects in a method of government to which they have unreservedly given themselves, is the zeal with which a new and complete system is sought, when once such defects are perceived. The ideal then proposed is not the improvement of the old, but its entire replacement. The mediæval feudal monarchy was thus replaced by the later absolutism; and it was thus that the papal hierarchy was replaced, so far as it was discarded at all, by Deism or Atheism, rather than by the Protestant compromises found in other countries. Is it not this eagerness for a complete system which, even among professed reformers, accounts for the differences between the ideas of Calvin and Luther in religion, and which explains the development of the physiocratic ideas into an economic system in France, rather than in England?

There is something attractive about such a method of thought, and yet there is always the danger that the results of its application to practical affairs may be very different from those intended. Let us take an example among questions of government. When changes of system are the result of modifications introduced singly, but successively, there is comparatively little danger of the overthrow of all government and a temporary period of anarchy, for even should the addition be unpopular, the body of the structure

yet remains as a steadying force. In proposing a total change, it too frequently happens that instead of providing an adequate foundation on which the new system may rest and which was an essential part of its original conception, minor writers, or shallow political leaders who do not realize the necessity for such a foundation, seek to establish the new ideal without it. With such methods anarchy or despotism can be the only result. There is not only the danger of a poor system but the added possibility that acceptable features may lose force by not being correctly applied. It does not follow that the democratic ideas developed by Rousseau in his social compact, were intended to be applied to France just emerging from ignorance and political inexperience, even though he presents an ideal of government very different from the existing absolutism. Nor does it follow that there were not portions of his political system which would have been of immense value to France, had they been correctly applied. Nothing is more certain, however, than that certain of his phrases were caught up by political leaders during the Revolution, that an effort was made to establish a government for which his approval was claimed, and that the result was anarchy, followed by a despotism as powerful, if not as bigoted, as any that France had seen. It was not the complete system which Rousseau had developed that was adopted when the time came for constructive work, but a hasty plan based on a few phrases taken from one of his writings. Even in a constitution built in this way, there were incorporated many features from Rousseau's ideals, which have proven of lasting value to France, although others of as much importance were lost.

It is the purpose of this paper to show how far Rousseau was responsible for the revolutionary governments, as well as to indicate the essential features of the ideal which he offered to France, and its influence on later political thought.

What was the ideal which Rousseau sought to obtain by his proposals? I doubt if this question can be answered better than by the hackneyed phrase, "popular sovereignty." Distinctly abandoning the notion of divine right, or long established custom, Rousseau takes a position which has never since been abandoned, declaring that governments derive all their power from the consent of the governed. He advances an hypothesis concerning the development and historical justification of this idea, which may, or may not, have been true, and on which he places little weight, regarding it as an unessential portion of his argument. His position is that governments ought to be based on this consent, and not that all governments are in fact so founded. At a later point we shall consider the question whether Rousseau regarded his ideal as immediately attainable. For the present we ask what credit should be given him for placing it before the world?

It is frequently argued that the falsity of Rousseau's historical allusions condemns his entire theory, but to this position I would take vigorous exception. History was, by no means, the science a century ago which it is to-day, and the political writer was obliged to use authorities which, to-day, are ranked as second rate, for the simple reason that there were none better. Rousseau is not the only writer of the period who looked back to some golden age long past. The difference between him and his contemporaries was that almost alone he maintained the possibility of attaining a future condition no less ideal than that which mankind had once enjoyed. This, in itself, was an improvement over the despondency which had characterized the first half of the century, for it made prominent an object worthy of attainment. The picture of the state as a society, in which every member had duties and privileges equal to those enjoyed by his neighbor, was yet more important, since it furnished an incentive which appealed to the sentiment of justice, as well as hope. It was to furnish a

logical foundation on which such a society could be erected, that Rousseau developed his theory of the social compact, a voluntary union between the individuals living within a given territory.

Although his writings did not originate the conception of society as created by compact, nowhere else had it been so clearly stated, and its conclusions so logically drawn. Neither Locke nor Hobbes gave the entire control of the government to the people, and thus limited the power which should belong to the governed under the logical development of the idea. The Pilgrims, on the Mayflower, who first applied the principle to practical affairs, had long since abandoned the complete theory by recognizing the right of special legislation vested in the Crown, and it was not until Rousseau once more boldly announced it as a logical whole, that the idea again became a living force in the world.

When the state has been formed by the express or implied consent of its members, justice becomes the rule of action for the people, and there is a true harmony of interests among them. A certain policy is for the best interests of the community as a whole, and it is for the general will of the state to determine whether any proposal is in agreement with this policy. By becoming a part of the state, every citizen has in effect said that he wishes the general will to prevail, and it only remains to be seen whether any proposition is in accord with this will. Government is instituted for this purpose, and Rousseau is careful to say that the form of government best for a nation varies in different cases. The people should have, at all times, the right to suggest laws, or to veto any law suggested by the legislative body, for in this way alone can that harmony be maintained between people and law, which is essential to national well-being. The magistrates, *i. e.*, all administrative officials, should be chosen directly, or indirectly, by the people and should be held closely responsible to them, in order that the true will of the community may always be supreme. Such,

then, is his plan, and its one object is to assure to the people at all times, and in all matters, a definite control.* Now the question to be asked is merely this: Can any state whose legal rulers profess to draw all their powers from the consent of the ruled, demand any less guarantee than the one which Rousseau offers?

If we examine the various systems of government then in force, we shall find none so democratic as this. The mere announcement of such a principle, therefore, marks a decided advance. Yet all that has been said may be granted, and usually is granted, without affecting the argument of those who consider Rousseau's proposals injurious to the nation. Such a system, it is said, offered no guarantee of good government, because the people had not, in 1789, the capacity of judging what was best for themselves while they were being incited to overthrow the existing system of control, and exercise sovereign powers of their own right. Let us examine the basis of such a criticism.

In defence of this position, it is assumed that Rousseau intended all men, of whatever grade, to possess an equal influence in the state. Nothing could be more false. So long as there is a difference in intellectual capacity, our author distinctly says that the lower grades should not be considered a part of the state, but he does not hesitate to

*In spite of the frequent assertions that Rousseau did not set forth any method of ascertaining just what the general will was, that indeed he denies it to be the sum of individual wills or the possibility of its being determined by a party (Bk. 2, cap. iii), I would yet maintain that he relies for its ascertainment on a vote of the people. A majority may not in this manner formulate the general will but it can say that a proposed measure is in harmony with it. Indeed it is doubtful if after the organization of the state the general will is again declared, but the people act as a government. The factions which controlled European politics at that time might well have awakened mistrust in Rousseau's mind. In the same way Bluntschli speaks of sovereignty as "not a sum of particular isolated rights but a general or common right" ("Theory of State," vii, 1). We do not deny the existence of sovereign power. Why should we deny the existence of a general will predominant over individual wills as sovereign authority is above the separate powers exercised in its name? Is it not a society like the one set forth by Rousseau as ideal which Herbert Spencer pictures in his concluding volume on the "Principles of Sociology?"

affirm that these classes should be prepared for citizenship as soon as possible, and when qualified should be admitted to full rights. The controlling power of the more competent, which has been presented by writers since his time, as a new development of democratic government, is thus maintained.

The only aristocracy, however, which he would recognize is one of intellect. Wealth, or family, is no reason why one man should stand above his fellows, nor are there any reasons why aught but justice should regulate social relations. Here, in the opinion of the writer, are stated the essentials of democracy, and to the recognition of these essentials the world has been gradually approaching ever since Rousseau wrote. Even the fact that the first idea was incorrectly applied has not prevented the second from transforming France and parts of the neighboring countries from a régime of privilege to one of legal equality.

Regarding the immediate abolition of privilege, it is often assumed by careless critics of Rousseau, that he was in favor of revolt against the Bourbon government in France, but a careful study of his works shows that only indirectly does he favor any such proposition. His chapter on sovereignty in the "*Contrat Social*," in which are found practically all the quotations so commonly taken from his works during the revolutionary period, merely declares that the general will is sovereign, inalienable and indivisible. It does not sanction revolution against legitimate government. On the contrary Rousseau again and again asserts that revolutions do not make men capable of conducting the government. This indeed is the crucial point of the whole discussion. For whom is the system of government outlined in the "*Contrat Social*" intended? Every citizen whom it considers as exercising a share in the control of the nation is a man of enlightened character and of political ability. At the time of the adoption of the contract, Rousseau considers men as morally perfect, and political capacity as being at once

obtained; but in the case of a young person growing up under eighteenth century conditions, the same result can be reached only by submitting him to a proper course of education, and in this course, experience and example, rather than verbal instruction, is insisted on. In rare cases alone, is any such result produced by a revolution. Thus, when Rousseau discusses the admission of a new class into the state as in the case of Poland, he insists that a careful education be given to prepare them for their duties and rights as full members of the community. There were, without doubt, many technically free citizens of France in Rousseau's time quite as incompetent in matters of statesmanship as were the slaves of Poland, and it is hardly fair to consider our author as ignorant of such conditions, especially if at the same time he is held to advocate a revolution, which shall secure an impartial distribution of advantages.

The cause of the error is that Rousseau's critics deem him to desire a re-creation of the state, and assume that in his mind, Frenchmen of the eighteenth century were in the same condition as the original creators whom he had pictured. In fact, however, he does not consider such action as possible, since after the state has been instituted, its form of government only may be altered. He would regenerate its members by education and training until they had the same qualifications as those which the original units possessed. They would then be sufficiently wise to select the most advantageous form of government, and national prosperity would be assured.

That the scheme of government outlined in the "*Contrat Social*" was not considered by its author as applicable to France of 1760 is evident if we examine his other writings. In his discourses, Rousseau had said that existing governments were the outgrowths of injustice, and that no mere change in form would give to man the true possibilities of his development. The real change must come first of all

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in the man himself. Thus he recognizes that if man is not already suited for an ideal government, the change to that form will not produce such an effect. He could not have maintained that man had remained perfect in France since that state of nature had been abandoned, for if so, the government could not have been degenerate. He must have considered the various régimes which had controlled France, rather as examples of those systems which degraded their subjects.*

If Rousseau had mentioned no method of individual initiative by which men could be made good citizens, we might conclude that he intended the change in government to have preceded all others, but this is not the case. Such an error is only possible to those who consider the "*Contrat Social*" as Rousseau's only work, containing his whole system. If he had written no other treatise than this, or if there had been a long interval of time between the publication of his various writings, the neglect of all but one would be more excusable, but the "*Contrat Social*" was only one of a series of works published at the same time, which must be read together to understand the real theory of their author. In "*La Nouvelle Heloise*" (1761) he considers the true relations which should exist between members of the family; in the "*Emile*" (1762) he shows how a man should be educated to make him fitted for social and political duties; while in the "*Contrat Social*," published in the same year, is pictured the true method of government, although this volume is intended to be followed by a fuller exposition of this subject. The first two works being, in a sense, preparatory, we should expect that the immediate application of theories there set forth would produce more satisfactory results than an attempt to graft the governmental ideas on an undeveloped society, and such, indeed, was the outcome. It is in this field of influence that we find the best basis for an estimate of the man. Rousseau is recognized as a social

* "*Contrat Social*," Bk. I, cap. viii.

reformer by writers who see only revolution in his political ideas and it is largely because in this field of suggestion his advice was more faithfully followed. It is but fair to remember that society, at the time, was fitted for the application of social reforms, but had not reached the state where Rousseau considered his political system as applicable. It may be true that the three works together furnish neither a perfect nor a practical system of national life, but it is no less true that the separation of one from the others is unjust to the author, and deprives the system of any opportunity to prove its practical worth, or its essential falseness.

Indeed one of the most frequent criticisms of these two preparatory volumes is that they present ideal social schemes impossible of realization. The thought that the constitution of the state outlined in the "Social Contract" might have been another such plan, dependent for its success upon the accomplishment of radical changes in social matters, seems to have been neglected. Fair criticism of the three works considered as a whole, is hardly consistent with the declaration that Rousseau was a revolutionist, for if a great social and political change was considered desirable, in none of these works is it considered as attainable by the people themselves, except gradually and by a long system of training. If indeed this gradual revolution had been attempted and had failed, then a much firmer foundation for the charges of incapacity would have been furnished, than can be built from the actual occurrences of 1789.*

Nor do we lack further proof that Rousseau did not intend his system of government to be applied to an uneducated and disordered people. Ten years after the publication of the works we have been considering, he was called upon for plans regarding the government of Poland, and although many of his suggestions tend toward an improve-

* His system of training is similar to that of Turgot. See the works of Turgot, Vol. ii, pp. 785-94

✓ ment of the government as well as of social conditions, he is careful to advise gradual and moderate, rather than sudden and violent changes in political methods. There are references to the "Social Contract," but he seems to realize that he is not planning a government for the ideal nation he pictured when writing that treatise.

In a word, Rousseau presents in his writings two series of propositions, the first intended to show how an ideal government could be gradually established and maintained; ✓ the second, found in his work on Poland, consisting of suggestions for the immediate reform of many existing social and political evils. It was not his fault that the writers and speakers of the revolution attempted to apply portions ✓ of his complete theory, and rejected his practical suggestions.*

It may be interesting to examine his position in regard to changes in the Polish government, for we may thus imagine how Rousseau would have acted in the crisis of 1789. His political suggestions are mainly found in Chapter VII of his "*Considerations sur Pologne*," and among them are the following: "We should never forget that necessity alone justifies changes in the existing order ✓ whether by a grant of new power or a retrenchment of the old."† These are hardly the words of a revolutionist for they imply the most cautious action. Again, when he is considering the necessity of changing the relative numbers of representatives in the Polish Diet in order to secure equality between the two houses, this ardent advocate of democracy, later assumed to be in favor of large legislative assemblies, remarks: "A natural remedy would seem to be secured by an increase in the number of the delegates, but I fear lest such action might cause too much commotion in

* Rousseau himself says that he takes his models from his own imagination, and then tries to see how they may be attained. See "*Rousseau juge de Jean Jacques*," Third dialogue, p. 193.

† "Mais ne perdons jamais de vue l'importante maxime de ne rien changer sous nécessité ni pour retrancher ni pour ajouter."

the state and bring us too nearly to mob rule. If it is absolutely necessary to change the proportion, I should prefer to decrease the number of senators rather than to increase the number of delegates."* Here Rousseau is not arguing for the form of government best suited to ideal conditions, but as to what shall be done for a nation which is on the point of breaking to pieces, a nation much nearer the France of 1789, than France was to the ideal people for whom the "*Contrat Social*" was framed. It was a fact which was before him. How would he have the executive department administered? "In order that the government may be strong, pure and best able to justify its existence, all executive power should be in the hands of the same persons: it does not suffice that these persons should be replaced occasionally by others, but if possible they should be held responsible to the legislator who should be their real director."† Can we say that the revolutionary leaders who distributed power among a number of committees who repeatedly declared themselves independent of their constituents, who introduced a constitution without the approval of the nation at large, and who rejected anything approaching parliamentary government, as to-day understood, were the true followers of Rousseau? Such examples serve to show that Rousseau not only had the power of presenting plans for the attainment of ideal forms of government, but that he also recognized practical necessities. In the propositions of the Physiocrats we can see the same ideal of perfect government for it is only as the sovereign prince makes justice his rule of conduct that he is regarded as a legal in

* "Un remède naturel à ce défaut se présente de lui-même; c'est augmenter le nombre des nonces; mais je craindrois que cela ne fit trop de mouvement dans l'État et n'approchât trop du tumulte déuocratique. S'il falloit absolument changer la proportion, au lieu d'augmenter le nombre des nonces j'aimerois mieux diminuer le nombre des senateurs."

† "Pour que l'administration soit forte, bonne et marche bien son but, toute la puissance exécutive doit être dans les mêmes mains; mais il ne suffit pas que ces mains changent, il faut qu'elles n'agissent s'il est possible que sous les yeux du législateur et que ce soit lui qui les guide."

distinction from an arbitrary ruler. Neither Turgot nor La Rivière designate any one to pass judgment on the justice of the ruler's actions and it would seem that in this respect their theory is inferior to Rousseau's, who would have the people made capable of criticising, as well as competent to rule. It is easy also to see how a people called on for advice and assistance by their king, as were the French in 1789, could readily imagine themselves the judges of the royal conduct, competent to decide whether it was legal or arbitrary, an excuse for revolution being thus furnished quite equal to any intended by the author of the "*Contrat Social*."*

It is also interesting to note that education in political duties is the method which Turgot would apply for making good citizens, a method which does not differ essentially from that proposed by Rousseau, and yet the great controller is rarely spoken of as a theorist in matters of government, a term so frequently applied to the author we are considering. Rousseau's real plans were followed neither by the writers who advocated the revolution nor by the legislators who planned its constructive work. In one sense he was as extreme in his proposals as they were. His ideal state presents as great a contrast to the France of 1789, as does any proposal advanced by the speakers or writers of the period. The fundamental distinction between them is found in the methods of realization proposed. Rousseau presents in clear outline a plan of gradual advance by education in the duties of life, expressly stating his disbelief in man's being at that time perfect, or the probability of the attainment of perfection by revolution. The more

* When he is discussing the basis of government Turgot says (Vol. ii, p. 503), "The rights of men united in society are not founded on their past but on their nature. Only reason justifies the continuance of old institutions." (p. 504), "The cause of the existing evils is that your nation has no constitution. It is a society composed of different orders badly united whose members have few social ties to bind them together. Where consequently every one is occupied with his own concerns almost exclusively, and hardly one pays attention to his duties to his fellows. Thus right has never ruled in this perpetual conflict of ideas and undertakings."

radical leaders throughout the country—the men who determined the direction the movement should take—as distinctly express their belief that the people of the time are able to operate the machinery of the state, and that they, themselves, can execute the wishes of the people. Rousseau intended his plan for small states, expressly saying that further development was needed to make it applicable to a populous nation. The leaders in the Assembly had no hesitancy in applying their conclusions to the whole of France. The fundamental needs of a nation according to Rousseau, are distinctly recognized by so able a man as Turgot in his proposals for reform, made to the King, but the leaders of 1791-93 considered them only secondarily, if at all. Before Rousseau, there were writers like Morelly, more radical than he, and with the progress of discontent, these radical views gained not only by extension among the people, but their intensive force increased. In accord with the spirit of his time, Rousseau looked back to an ideal period but also forward to a renewal of such conditions if a long, faithful effort were made, and thus he intensified the longing for ideals which was characteristic of France, throughout this period. Further than this, he does not go. It took a later and more hopeful generation than his to expect to realize ideals at once. Turgot places the interval at ten years,* but it was not until the last decade of the century that it was considered possible to at once establish a heaven upon this earth.

The tide of expectation advanced, but unless we can see the views of Rousseau in the proposals of Marat and his associates, we have no right to hold that author responsible for their conduct. Such responsibility is not proven by the quotations from the "Social Contract" which we find used by the later leaders, nor would it be proven if this work could be shown to have been their sole guide. A half truth may be no less a lie than a deliberate mis-statement, and in this

* Works, Vol. ii, p. 508.

way only can the theories of the revolutionists be said to have been drawn from Rousseau. Not isolated statements, ✓ chapters or books, but his whole doctrine must be the final test, and in this connection the statement already made that in the political pamphlets of the revolutionary period there is hardly a reference to Rousseau's works aside from his chapters in the "Social Contract" on sovereignty, is of marked importance. By 1789-93 society had advanced so far in its discontent with the Bourbon absolutism and the limited government which had been placed in its stead, that even the radical doctrine based on only a few phrases taken from these chapters developed ideas which every one had in his heart. If we are seeking some writer who above others inspired this growing discontent and restlessness so characteristic of the period and which prepared the nation to accept any scheme which was complete and promised much, we must look to Necker with his work on the administration of the finances in France, rather than to any writing of the philosophers.

Rousseau, to be sure, placed before the world the picture of a nation under an ideal government, and thus excited an enthusiasm for liberty, equality and fraternity which, it is to be hoped, will never cease to exist. If to arouse a desire for such a condition is an offence against rational government, if we ought never to seek anything or be inspired by anything better than a system of compromise, then was Rousseau a bar to all political advance and an enemy to progress. But if it is necessary to disregard the main body of his writings entirely and to judge the remaining few * passages and phrases distinct from their context, and wholly by the use made of them by men who did not understand them; if all this is necessary to make Rousseau a revolutionist, can we not honestly say that such an indictment has small basis in fact. We may believe that unless Rousseau had lived, France and the world would have lacked the inspiration to progress which a noble political ideal

attractively presented, is sure to furnish; we may possibly say that but for him, the French Revolution would not have followed the exact course it did pursue, but that is entirely different from making him the inciter of the revolutionary policy. It is no condemnation of a man or his system, when the ends he proposes are sought by means which he has denounced, and the result is failure. Finally, it must be remembered that Rousseau intended writing a larger work on government in which some of the ideas of the "*Contrat Social*" should be developed and doubtful points explained. Indeed it is said that he left notes on several subjects, among others the application of his ideas to large states, but they have been destroyed. Thus, we can not conclude that a neglect to give all the details of his plans is necessarily fatal to their practicability.

In our study and interpretation of Rousseau's writings we have seen that writers, speakers and listeners have obtained ideas regarding his system of government, which even the "*Contrat Social*" fails to support, and for whose origin we must hold the speakers themselves, or at least, other and more radical writers responsible. The Assembly added to this misinterpretation being influenced by its own ambition, and thus framed a composite doctrine, which may have been accepted as Rousseau's, but which differed widely from his conceptions. The people thought they were getting popular government, their leaders were aiming at an oligarchy, although a few recognized this as a preparatory stage.

But this is not all. We see that a more serious misjudgment was made at the time, which is not absent from more recent writings. Frenchmen of the eighteenth century, had not the discrimination to understand that the doctrine for society outlined in the "*Social Contract*" was not intended for France of their time. They did not see that if portions of it could be safely followed, the complete theory was intended only for an ideal society, a condition which France

was expected to reach, but which as surely she had not yet attained.

The works in which Rousseau outlined his method of attaining an improved government, as well as those which proved his ability to distinguish between the desirable and the expedient, were neglected at the time, and have been largely neglected ever since. Probably our author did not anticipate the present methods of parliamentary government in their entirety. Very few, if any, thinkers of that period did understand such a system, yet I doubt if anywhere in Europe, Rousseau could see in practice, or read in theory, a nearer approach to the idea, than he gives us in his considerations on Poland. If his plans do not advocate parliamentary government, they surely do favor a system like that of Switzerland to-day, and which is regarded with so much favor. The safeguard found in the Swiss referendum is but the execution of Rousseau's proposals, while the political ability of that nation has been so raised by generations of governmental training, that it is not far from that which he would have considered attainable, had the methods of training set forth in the "*Emile*" been applied in France. With every advance in qualifications, the last century has seen an extension of political power to the masses of Western Europe, and it is Rousseau, more than any of his contemporaries, who advocated such gradual progress.

But these are, by no means, the commonly accepted views of Rousseau and of his philosophy. To what shall we attribute the difference? First, to the fact again and again emphasized that the real work of the author was not judged as a whole, but by the action of men who professed to be following his doctrine, while in reality using certain of his phrases in a sense different from that intended by their author. Secondly, to the intense reaction against popular influence which controlled Europe during the period immediately following the Revolution and which rendered impossible any serious investigation of its causes, or any

impartial judgment of its supposed inciters. So far as there was an honest spirit of criticism, stress was laid on the powers of analysis shown by writers and the correctness of the authorities quoted in their works. In both of these fields, Rousseau was weak; in the latter, because no good history of the past existed at his time, and because the correctness of these allusions was no essential part of his work; in the former, because he had not an analytical mind, dealing rather with bodies as a whole than with their component parts.

Somewhat akin to this reaction against freedom in politics, was the rejection by succeeding generations of that atheism and loose morality, which the revolution was thought to have advanced, and of which Rousseau was regarded as a marked example. Against the former of these charges, Rousseau may be defended, for he was no atheist, but rather a pronounced deist; against the latter it is true little can be said, unless the frankness with which he confessed his faults, and but for which many of his offences would be unknown, may be regarded as lessening the offence. Always quarreling, always considering himself as ill-treated, always reflecting on the honesty of others, Rousseau was not a man to be admired. Probably an epileptic from birth, and at any rate afflicted with an emotional temperament, which became partial insanity before his death, his writings contain many fanciful passages and vulgar allusions, which have made them tiresome or ludicrous to the searcher for practical political guidance, and offensive to the moralist. These defects have doubtless caused many readers to throw down his works in disgust, and yet is it not more remarkable that a man educated as was Rousseau, and partially insane, as he was during his later years, should not have left more traces of his weakness in his works? The writer is no admirer of Rousseau's personality, and yet is it not possible that it is this which has hindered an impartial judgment of his political theories?

If we are to consider his writings by themselves, let us not judge their author by a single work; if his theories are to be valued by their results, let us not confine our attention solely to the Revolution, but consider also the advance which democracy has made since his time. Finally, if we are considering Rousseau as a writer on government, we must not allow his moral weakness to blind us to the grandeur and completeness of his political conceptions.

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THE GEORGE JUNIOR REPUBLIC.

The George Junior Republic takes its name in part from its founder, Mr. William R. George, and in part from the fact that it is a "government of the children, by the children and for the children."

Mr. George spent his boyhood on a farm, one mile distant from Freeville, Tompkins County, New York, and, going to New York City in early manhood, engaged in a variety of philanthropic labor for the welfare of little children. In April of 1890, he saw in the New York *Evening World* a pathetic account of a little street boy's sad disappointment in finding that what he supposed was a dandelion growing in the centre of City Hall Park was only a piece of orange peel. The delights of his own boyhood's home recurred to him with especial vigor after the perusal of this article, and he determined to do what he could to give to the children of the poor, a taste of those same enjoyments. Accordingly, during the years 1890 to 1895, he took from two hundred to two hundred and sixty children each year from their tenement house homes, and gave them a summer's outing. Thus far the undertaking had differed little from many others, but, in the spring of 1895, the thought flashed upon him to change his summer's camping party into a miniature republic.

The territory of the Republic is even smaller than that of San Marino, being only forty-eight acres in extent, and its buildings are few and simple. In the winter its inhabitants are only forty-four in number, twenty-seven boys and seventeen girls; and in the summer, when the tide of immigration rolls in, the population increases to two hundred and fifty, and tents are erected to supplement the few simple buildings. But within these simple environments transpire the political, industrial, educational, religious, and other

social events which the name Republic implies. Freeville, in whose vicinity the Republic is located, is a quiet country town in the southern central part of New York State, and within plain view of Ithaca and Cornell University, nine miles away to the west. The neighbors of the Republic are a simple and kindly people, who appreciate the good motives and high ideals underlying the movement, and extend a cordial welcome to it and its inhabitants.

Although Mr. George's presence and influence pervade every detail of the Republic's life they do so only indirectly, and he interferes only in case some grave moral question is involved. At first he was the Republic's president and had a veto power over its laws, but now there is a boy president, whose veto can be set aside only by a two-thirds vote of the Congress.

Congress consists of the Senate and House of Representatives, and has the power of passing laws in harmony with the United States Constitution and the laws of New York State. I will quote one or two of the laws passed by it:

"Be it enacted, That the use of tobacco in every form, including cigarettes, be prohibited in the George Junior Republic . . . and that violation of this law shall be met with a fine not less than fifty cents, nor more than ten dollars, or by from one-half day to five days imprisonment, or by both."

"Be it enacted, That any citizen found guilty of cruelty to animals shall be fined not less than five dollars nor more than twenty-five dollars."

"The right of suffrage is hereby extended to all citizens over twelve years of age without distinction of sex."

With the passage of this last act there is connected a little story which may give an insight into the workings of the Junior Republic, and which may show its similarity with conditions in the greater Republic. The girls one day awakened to the fact that they would like to vote. They accordingly petitioned Congress, and, after a hard fight, succeeded in having the bill passed. An influential boy, however, who was an especial favorite with the girls, used

his persuasive powers with them, and, chiefly by repeated assertions that it "was not nice for girls to vote," induced most of them to sign a counterpetition to the president against signing the bill. The bill was vetoed and the movement for universal suffrage for that time came to an end. A heavy poll tax, however, was levied soon after, and since girls have heads as well as boys the tax fell upon them with equal or greater severity. Accordingly another campaign of persuasion and education was entered upon and the bill became a law. The state law against swearing is also on the Republic's statute books, and, like all other laws, is rigidly enforced.

Comprising among its citizens boys and girls of most unfavorable parentage, education and environment, it is but natural that the Republic's police and judicial departments should be alert and vigorous; and alert and vigorous they most assuredly are. To be a member of the police force is the early and abiding dream of the average New York boy's life, and the applicants for this position in the Republic were so numerous that the test of a civil service examination was resorted to in order to cut down the number. The examination speedily accomplished its purpose; but it was effective also in implanting in the minds of some of the unsuccessful applicants their first strong desire to obtain the rudiments of an English education. This effect was summed up by one of them as follows: "I don't play hooky this winter, you bet! I'll come back here next year and git to be a cop!" The successful applicants are given the policeman's uniform—a blue shirt, black cap with gold braid and lettering, a policeman's belt and club, and a German silver shield with the word "Police" engraved upon it. Their salary amounts, on the average, to that of the skilled laborer. They are commanded by a chief, who divides them into platoons in charge of roundsmen. A flagrant failure to fulfill their duties meets with dismissal from the force and a fine. Their position is no sinecure,

since they are expected to quell disturbances at the risk of physical injury in attempting to make an arrest, and cowardice in such cases meets with dismissal and disgrace. The policemen are protected by the provision that any citizen resisting an officer is subject to a heavy fine or imprisonment, or both. The consequence is that, all things considered, there is a remarkable deference paid to the policeman, be he ever so small. This deference is extended to them, not only within the limits of the Republic, but also outside its borders. This was evidenced when some youths seceded from the Republic, and before they were overtaken by the police, had escaped to a distance of fifteen miles. They were just sitting down to dinner in a benevolent farmer's household when the officers arrived, and were commanded by them to return immediately, which command, in spite of the farmer's protest, was obeyed at once. The police are given the privilege of using their clubs for defence if necessary, but such cases are rigidly investigated. Be it said to the credit of these youthful policemen, that only once in two years has this privilege been resorted to, and that in the most justifiable instance.

When arrested the prisoner is taken to the police station, and a record is made of the arrest. If court is in session at the time the prisoner is at once taken before the magistrate. If it is not court hour and the offence is a minor one, he deposits a sum of money, or secures a bondsman for his appearance at the next session; but if unable to do either, he is locked up in the station house until court convenes. When the prisoner is brought before the magistrate for some minor offence he receives a regular police court trial, and is fined a slight amount, imprisoned for a few hours or a day, or discharged at the discretion of the judge,—at present a boy of sixteen. A prisoner charged with a serious offence is held for the grand jury, which is composed of boys also, and if they bring in an indictment against him, his trial is fixed for a few days later. He is then arraigned before

the criminal judge, who is now also a youth in his teens. This office was filled at first by a graduate student of law in Cornell University, but has been occupied for some time, like all other positions in the Republic, by a Junior citizen. The district attorney conducts the case for the people, and the prisoner has counsel for himself, if he be able to hire one, or, if not, is assigned one by the court. A jury of boys and girls is then secured, the trial proceeds in due form, witnesses are produced by each side, the counsel sum up, and the judge delivers his charge. The jury retires in charge of a court officer, and after due deliberation, return with the verdict. If the verdict be guilty the prisoner is sentenced to hard labor and imprisonment, or, as the boys say, "is put on the gang" for a period of time, ranging from half a day to six days, according to the offence. He is reduced to the grade of a convict, taken in charge by the keeper, his civilian's clothing is replaced by the prison uniform, which is made of bed ticking, with the stripes running around in the usual fashion. The convicts are known only by number, they cannot speak to any one during their term of imprisonment, and are locked in a cell at all times, except when their keeper has them out at work. They are obliged to work all day long, receiving no pay for their labor, and live on the plainest fare. "This is a severe punishment," says Mr. George, "but we have severe cases sometimes to deal with. I don't like this prison part, of course, but there are several hundred other things in the world at large which we do not like, but which seem to be essential. We could have made the prison part milder, to be sure, but then they would have formed a very wrong impression of the actual State Prison, and we do not wish them to glean the impression that a penal institution is a kind of picnic ground."

As to the effects of the prison system they seem to have been excellent. For instance, here is one boy's opinion of it, expressed upon his release: "If dat's what Sing Sing

is, you bet I haint goin' to git dere." And again "I've figgered it out and it costs more to be bad den good. Youse has to work harder and git no pay; sleep in a cell and git bread 'n water 'n soup an' be follered wid a gun an' hev all de blokes in de Republic down on youse, if you are bad. If youse is good, youse only hev to work ez hard ez in de prison an' git de biggest money in de camp, an' wid dat youse kin sleep in de best room in de hotel an' eat de finest feed, an' de girls an' fellers don't git down on youse like dey do if youse a prisoner. I figgered dat all out one night in de cell an' I made up me mind dat I can't afford to be bad an' I'me goin' to try now to git to de top." This sort of reasoning will appear to most readers of the ANNALS, no doubt, as a rather low sanction for good conduct; but we must remember that high individual, as well as social morality, comes slowly and step by step; and surely even this stage of thinking is a long step in advance, and often leads to higher things. The young man who made this calculation, for instance, became an industrious, law-abiding citizen, and was eventually elected speaker of the House of Representatives.

It is encouraging to note, too, that there was a striking decrease in the number of convicts as the season advanced. Thirty-two were placed on the "gang" during the first half of last summer, and only eight during the second half. The trials are not only interesting in themselves, but the solemnity, gravity and earnestness of the judge and all parties concerned are evidence of the fact that they are regarded in no frivolous light, but have taken their due importance in the minds of the citizens. Another encouraging fact is that boys who have been indifferent or insolent in the presence of an adult magistrate have been impressed at once when brought before a jury of their peers, and several of the most hardened have broken down and wept when sentenced by their boy judges. Indeed Mr. George told me of an actual case of attempted suicide on the part of a prisoner newly sentenced.

As in our own Republic, there is behind the Junior Republic's legislative and judicial departments a well organized militia, including all of the boy citizens. Between 6 and 7.30 a. m. and 5.30 and 6.30 p. m., six days in the week, the boys are put through the course of evolutions and involutions known as a military drill. When I visited the Republic the fields were covered with snow, and whatever else the drill may result in, it was productive at that time of a large amount of physical exercise.

There is a vast amount of enthusiasm for everything American in this miniature Republic, and it is sought to direct this into channels of patriotism and love for the big Republic by elaborate ceremonies when raising and lowering the "Stars and Stripes," by singing patriotic songs and declaiming patriotic addresses.

I have dwelt somewhat *in extenso* upon the governmental part of the Republic's life, because the experiment is a most interesting one in the direction of applying the American idea of self-government to the control of boys and girls, many of whom have been pronounced incorrigible; and because the success met with in the enforcement of good conduct affords much encouragement to those who believe in the truth and efficiency of that idea.

Turning from the government to industry, we find quite a diversity of pursuits, and many features of the big Republic's industrial system. At first, industry was carried on by means of industrial classes, the citizens being enrolled in them, and paid according to the number of hours spent in the acquisition of technical knowledge. But now, contracts for the performance of certain tasks are sold by the government to citizens, who must employ their own laborers, and assume the responsibility of loss or profit. The wages paid are from fifty to seventy cents a day, and the labor day is from 8.30 to 12.00. The forty-eight acres in the farm are put to very good use, and farming or trucking is supplemented by landscape gardening. The class

system was done away with and the contract system substituted in accordance with Mr. George's aim to introduce into the Republic as many of the conditions of ordinary life as is possible; and now that each citizen must assume the responsibility of obtaining employment, a long step has been made in the direction of *laissez faire*. It is true that all industrial tasks instead of a certain few, are still looked upon as public work. The contracts sold by the government are many and varied. For instance, one boy has purchased the privilege of giving to the boy citizens their weekly bath, the taking of which is enforced by fine and imprisonment; another boy has purchased the privilege of conducting a barber shop; several have the contract of providing lodgings for the citizens and of furnishing their meals. The hotels, as they are called, are of three grades, from the Hotel Waldorf, on the second floor of the main building, where the millionaires sleep, and pay twenty-five cents per night for the privilege of having a tastily furnished room to themselves, to the lowest class of lodgings in the attic, where the unsuccessful business men or the idlers must take up their quarters, at ten cents a night. If the citizen has no money to pay for lodgings he must pass the night in the station house, and in the morning is arrested for vagrancy and made to work out the fine imposed. Each hotel keeper must maintain order in his establishment, and is arrested and fined for a failure to do so. He must call in the police to quell disturbances, eject disorderly guests, or refuse to receive those who are likely to become such. He must also hire servants and keep his establishment clean and presentable, or be fined by the inspector for failing to do so. The inspector is employed by the government, and makes his rounds twice daily, accompanied by Mrs. George, who fines the inspector if he fails to discover any faults of omission or commission. A small boy of fourteen was proprietor of the restaurant during my visit, and a most business-like boy he was. The tables in

his establishment are divided into three classes: those where fifteen cents a meal is charged, and where the masses—but not the unwashed masses—take their meals; those where twenty-five cents a meal is charged, and which are called the Applicants' Tables, because they are used by citizens who have not yet proved by their manners that they deserve to be admitted to the third class of tables, known as Aristocrats' Tables. This arrangement is rather undemocratic, to be sure, but it is relied upon, and with good reason, as a means of cultivating the ways of polite society. The utmost of good form and politeness prevail at the Aristocrats' Tables, and even more of it, if that be possible, at the Candidates' Tables; and even at the lowest class of tables, although there is sometimes a superfluity of boisterous mirth, there is, on the whole, a degree of order which is remarkable when the character and age of the guests are considered. Mr. and Mrs. George regularly take their meals at the restaurant, and share precisely the same kinds of food as that furnished to the citizens. Fortunately the restaurant proprietor is able to employ the services of an adult cook, but his assistant cooks and waiters are engaged from among the citizens. In addition to the numerous contracts of this character which are let by the government, many other employments have sprung up. The boys become carpenters, retail venders of fruits, candies and other commodities dear to children's hearts, public officials, lawyers, and skilled laborers of various kinds. The girls turn to sewing, clothes patching, stocking darning and housework. Everything which is worn, eaten or otherwise enjoyed must be bought by the citizens and paid for. Once a week pay-day comes and with it a general squaring up of accounts with the government and between the citizens. The money used is made of round tin discs, stamped with the Republic's name, and corresponding in size and amount with United States one dollar, fifty cents, twenty-five cents, ten cents, five cents, and one cent pieces. It is current, of

course, only within the Republic, the various supplies of food and clothing being contributed by the farmers and churches of the surrounding region, and by an association of benevolent people in New York City. Twenty-five hundred dollars in cash and sixteen hundred dollars worth of provisions were contributed last year. It is the ideal of course to make the children's labor productive of a good deal more wealth than has yet been possible, and to make the Republic more nearly self-sustaining. Meanwhile the children themselves get nothing which they do not earn. Some fall to lower and lower kinds of food and clothing, or climb to higher and higher lodgings, until they become paupers and are fed at government expense on bread and water, a provision passed by Congress itself, the author of the measure declaring that "A feller wot won't work shan't eat." Chronic pauperism is dealt with by the government, which enforces labor, and rewards very sparingly, until the lesson is learned that it does not "pay" to be a pauper, any more than to be a criminal. Some take the other road, and amass sufficient wealth to enjoy meals at "Delmonico's," and a room in the "Waldorf," or to invest it in various business enterprises, even to the extent of becoming a banker. The banker receives money on deposit, loans it on interest or invests it in some enterprise of his own. Sometimes confidence in the bank is lost, a run on it is made, and it is forced to close its doors, just as in the big world outside,—although the banker usually stands a series of lawsuits, instead of making a hurried trip abroad.

When the summer citizens return to their homes in the autumn, a public sale of contributed clothing, food, and sundry commodities is held, and those who have saved a surplus invest it in things suitable for their own needs and those of their parents and brothers or sisters. Those who have squandered their money on luxuries, or failed to save any, return home empty handed, and sometimes in a decidedly tattered condition, much to their own and their

relatives' dissatisfaction, but it is to be hoped to their permanent enlightenment. The industrious and the thrifty, on the other hand, carry home with them supplies of potatoes and other vegetables which suffice for their families' consumption during several succeeding months.

The economic questions which are continually arising are very similar to those which have long puzzled the heads of American citizens. For instance, at one time the government was too lavish in payment for work done under contract; the currency became inflated, prices increased four, five and even ten-fold, speculation was rife, and then came a panic, followed by a period of financial depression and general ruin. The question, how to return to a "gold basis," was long and earnestly debated, but probably the answer to it can yield American Congressmen no enlightenment. Another question which arose was that of foreign competition and protection to home industries. Congress at one time passed a law permitting citizens who paid the government five dollars for the privilege, to go outside of the Republic's borders. These citizens brought back with them apples and sundry other commodities which had been given them in the course of their travels, and proceeded to undersell the regular venders of those commodities. This caused much dissatisfaction, and Congress, after considering a variety of plans for solving the problem, drifted unconsciously into the system of a protective tariff. When such problems arise it is Mr. George's policy to leave to the boys the solution of them, his aim being to fix upon the citizens themselves the responsibility for their own acts, and to permit them to learn by experience.

Naturally the mental development of the citizens is a desideratum, and Mr. George's plan of education is, to say the least, a novel one. It is for the government to employ one or two of the oldest and most matured citizens to act in the capacity of schoolmasters. Questions are obtained by them from grammars, arithmetics, geographies and other

text-books, and distributed amongst the citizens, who are enrolled in appropriate classes. The answers to these questions must be obtained from suitable books and written upon paper in a prescribed form. They are then given to the schoolmasters, who examine them, and accept or reject them, acceptance meaning the payment of a certain sum of money to the author of the answers, and rejection meaning no pecuniary reward. The schoolmasters and the work presented to them are subjected to investigation by the inspector. In this way a new method of furnishing employment to the citizens is secured in those seasons when out-of-door work is relatively scarce, and the acquirement of an education is sought to be made dependent upon the acquisition of daily subsistence. From the industrial point of view the method is successful, and from the educational point of view it results in familiarity with certain facts and the cultivation of a certain degree of accuracy and order; whether it will result in an education is a question which only further experience can answer. Some of the citizens are sent to public schools in the vicinity, and two of the youths are attending the neighboring high school, preparatory to entering Cornell University. The report of their instructors as to the character of work done under them determines the amount of their remuneration. One interesting development, of the educational system is what is known as the college. This means a weekly lecture to the assembled citizens by one of their number who has been appointed for the detailed investigation of a specific topic. His information is secured by a patient research in the well-appointed library, which has been contributed by a benevolent gentleman, and which is housed in one of the brightest, most tastefully decorated rooms to be met with anywhere. In addition to school and college, literary and musical entertainments are frequent, and in the evenings there are home-like meetings and pleasant talks around the library fireside. The spiritual welfare of the children is also looked

after most carefully and devotedly, morning and evening prayers being held at the Republic, and the children attending Sunday services in the churches in the neighboring town.

Life at the Republic is not all politics, work and study. Mr. George's original idea was to bring into the lives of the children of the slums some of the brightness and happiness which surrounds children in more favorable circumstances, and he has not by any means lost sight of this idea. The prevailing spirit of good humor and evident happiness at once impresses the visitor. Athletics are indulged in. Baseball and football teams have been organized; the snow-clad hills afford coasting, and a neighboring stream skating in winter and swimming in summer. Modern athletics are not complete unless accompanied by a "yell," and this important feature is not wanting at the Republic. Their "yell" may be of interest, as it is as musical as most of its kind, and gives us instructive glimpses of the philosophy of life which prevails at the Republic. It is as follows:

"Hear ye this!

Down with the boss; down with the tramp;
Down with the pauper; down with the scamp;
Up with the freeman; up with the wise;
Up with the thrifty; on to the prize;
Who are we? why, we are,
Citizens of the G. J. R. :
We love our land and we would die,
To keep Old Glory in the sky."

The citizens are placed in Mr. George's care, either through sentence of city magistrates, or agreement on the part of the parents. Most of them are between the ages of twelve and fifteen years. The few who fall below this limit, accepted because of unusual circumstances, are placed in the care of guardians, that is, boy or girl citizens older than themselves, who are held responsible for their industry, cleanliness, and general good conduct. These youthful guardians are expected to use persuasion, and, if necessary,

mild coercion, in order to cultivate good habits on the part of their wards; and, lest at any time the guardian should use undue severity, a Society for the Prevention of Cruelty to Children was formed on their own initiative by other citizens of the Republic. There has been no occasion, however, for activity on the part of this society, the guardians being monuments of long-suffering and patience. Their ideas of the rearing of young children are naturally of much interest and of surprising wisdom.

Perhaps the most noteworthy fact in connection with the George Junior Republic is that boys and girls of the character and antecedents of the citizens are so quickly caught up into the spirit of industry and good order which pervades the Republic. This desirable result is due, doubtless, to the responsibility which is placed upon them and to the confidence which is manifested toward them; but also, and doubtless chiefly, to the silent and unobtrusive, but all-pervading influence for the good of Mr. George and his wife.

If we are consistent believers in the American political theory, we must admit that the machinery adopted by the founders of the George Junior Republic for carrying on their work is the best which the mind of man has developed. But mere machinery is useless without a motive force, and this motive force is largely supplied by the clever brain and kindly heart of Mr. George. In this experiment, as in all other social service, Mrs. Browning's dictum is true, that

“ . . . It takes a soul
 To move a body: it takes a high souled man
 To move the masses—even to a cleaner sty:
 It takes the ideal to blow a hair's breadth off
 The dust of the actual.—Ah, your Fouriers failed
 Because not poets enough to understand
 That life develops from within.”

WILLIAM I. HULL.

PROCEEDINGS OF THE ACADEMY.

(Continued from p. 424, Vol. IX of the ANNALS.)

A general meeting of the Academy was held in Philadelphia on the twenty-first and twenty-second of April. The meeting consisted of several sessions. The Fortieth Session was held on the evening of April 21, 1897, at the New Century Club, Philadelphia. It was the opening session of the general meeting, and the vice-president (Dr. Roland P. Falkner), who occupied the chair, opened the proceedings with a brief address, in which the aims and work of the Academy were set forth. The president of the Academy, Professor Edmund J. James, of the University of Chicago, was then introduced. He read a paper upon "Training for Citizenship," which discussed the educational significance of studies in political and social science, and the place of such studies in the organization of the educational system.*

The Forty-first Session was held at 10 a. m. on April 22, at the New Century Club. The session was devoted to a discussion of Foreign Commerce.

It was opened by Mr. George E. Bartol, president of the Philadelphia Bourse, who defined the scope of the discussion and the significance of foreign trade as opposed to domestic trade. The speaker pointed out that problems of foreign trade were not of equal interest to all nations; that in some of them they were overshadowed by many other economic problems, but that to the people of the United States the question was of considerable importance, while as yet we had made little progress in permanently establishing advantageous trade relations with other countries. The experience of Germany was dwelt upon as an illustration of successful competition in foreign countries, in which care and foresight

* A brief abstract of Professor James' address was printed in the *Teacher* of May, 1897, and it will be printed in full in a subsequent issue of the ANNALS.

and a minute study of trade conditions had widely extended foreign commerce.

Professor Emory R. Johnson, of the University of Pennsylvania, spoke on "American Manufactures in Foreign Markets." Professor Johnson entered upon an analysis of the foreign trade of the United States. He showed how the share of American manufactures in the export trade was increasing of late years, and discussed the conditions under which an enlargement of trade might be looked for in this direction.

The Hon. Robert Adams, Jr., member of Congress, spoke upon the "Opening of Foreign Markets to American Goods." He dwelt upon the necessity for proper postal facilities, for more ample transportation facilities, for an improvement of our consular service, and upon reciprocal treaties. He enlarged on each of these topics, showing the advantages which would accrue to the nation were a consistent and enlightened policy pursued in regard to them.

The discussion was to have been continued by Dr. William Pepper, President of the Philadelphia Commercial Museum, who expected to speak upon "The Promotion of Foreign Trade through a Systematic Study of Commercial Relations." But Dr. Pepper being unavoidably detained, the discussion was then thrown open. An animated debate ensued in which, in addition to the speakers whose names have already been mentioned, Mr. Anson Wolcott, of Indiana; Dr. E. T. Devine, of New York, and Dr. Edmund Cobbe, of Philadelphia, took part.

The Forty-second Session was held at 3 p. m. at the New Century Club. The subject for consideration was Immigration. The president introduced Dr. Joseph H. Senner, United States Commissioner of Immigration at the port of New York, who read a paper upon "Immigration," published in the current number of the ANNALS.

Mr. Sydney George Fisher, of the Philadelphia Bar, discussed the question of immigration from the standpoint of

nationality and national unity. He called attention to the fact that those nations which contributed most to the world's progress were homogeneous in character. The policy of the United States had not always been dictated by these considerations, although in our early history they appealed forcibly to the founders of the Republic. Mr. Fisher read extracts from the writings of Washington, Jefferson and Madison, in which the dangers of an unrestricted immigration were set forth in unmistakable terms.

Professor Roland P. Falkner, of the University of Pennsylvania, continued the discussion. He was in accord with the previous speakers in regard to the desirability of restricting immigration, and called particular attention to the method upon which such restrictions should be based. By figures drawn from the statistical reports of the government, he sought to show that the social evils attributed to the foreign element in our population were to be regarded as outgrowths of the comparatively low economic standard of this class in the population, and that the principle upon which the restriction of immigration should be sought, must be looked for in economic conditions.

In the discussion which followed Dr. Senner elaborated at some length the plan for a land and labor clearing-house, which was suggested at the conclusion of his paper. Such an establishment would be designed to give information to intending settlers and also to be a medium through which they might obtain labor.

The Forty-third Session was held at 8 p. m. in the auditorium of the Drexel Institute. The meeting was devoted to the subject of Banking. The principal speaker was Hon. James H. Eckels, Comptroller of the Currency, who delivered an address upon "The National Banking System." He sketched the beginnings of banking in the United States; the experience of the first and second United States banks, and of state banking. At somewhat greater length, he recounted the history of the national banking system and

discussed the advantages which had accrued to the community through the existence of these financial institutions.*

The discussion was opened by Professor R. M. Breckenridge, of Haverford College, who pointed out some defects of the national banking system, particularly in regard to reserve and discount rates. The discussion was continued by Professor Joseph French Johnson, of the University of Pennsylvania, who criticized the notes of the national banks as not fulfilling the functions which are properly demanded of bank notes, and assimilating too closely to government issues.†

The discussion was closed by Mr. Eckels, and, after a resolution of thanks to the Trustees of Drexel Institute, the meeting adjourned.

* The address of Mr. Eckels is printed in full in the *Bankers' Monthly*, Chicago, for May, 1897.

† The remarks of Professor Johnson are printed in full in the *Bankers' Monthly*, Chicago, for June, 1897.

PERSONAL NOTE.

London.—Mr. John Biddulph Martin, President of the Royal Statistical Society, died at Las Palmas, Canary Islands, March 20, 1897. He was born in 1841, and was educated at Harrow, and Exeter College, Oxford, where he graduated with classical honors. After leaving the university he entered the famous banking firm in Lombard street which bears the name of Martin's Bank, and which claims to be two hundred years older than the Bank of England. Mr. Martin was actively interested in promoting philanthropic and scientific efforts. He was a member of the British Economic Association, the Institute of Bankers, and many other associations. For many years he was treasurer of the Royal Statistical Society, and at the time of his death its president. He was treasurer of the International Statistical Institute from its foundation. In addition to this book, "The Grasshopper in Lombard Street," an interesting account of the banking house with which he was connected, he published a number of papers in the *Journal of the Royal Statistical Society*, and the *Journal of the Institute of Bankers*. The latter include papers on "Our Gold Coinage," "Bank Notes," "Movements of Coin and its Equivalents," and others.

BOOK DEPARTMENT.

NOTES.

IT IS PERHAPS not reasonable to expect that the arguments used by a "Defence Association" should be scientific or consistent. The aim of such an organization is to create public opinion or capture votes, and for such a purpose error is quite as effective as truth. Nevertheless, the honest student of finance must feel a bit disheartened when he reads the twenty-four pamphlets issued by the British Gold Standard Defence Association, and notes the inconsistencies, fallacies and *non sequiturs* which the exigencies of "defence" are apparently supposed to justify. If the British public reads these leaflets, it is probably ready to support gold, but its understanding must be in a dense fog on the money question. The list of authors includes such names as Lord Farrer, H. D. McLeod, Lord Playfair, Sir John Lubbock, G. Shaw-Lefevre and Henry Labouchere.

Nowhere in these pamphlets does one discover a fair statement of the position and arguments of the so-called International Bimetallist. On the contrary, each author appears to have a different view of the meaning of bimetallism and opposes it with different arguments. Mr. McLeod shows by reference to the history of bimetallism in France that it is a policy discredited by experience, unsupported by a scintilla of evidence either from theory or fact. Leaflet No. 6, however, condemns international bimetallism because it is a wholly new thing both in theory and practice. Several writers object to a larger use of silver on the ground that the public does not like to employ it as a medium of exchange on account of its bulk. Gold, because of its great value and small bulk, it is pointed out, has been selected by the civilized world as the metal best qualified to serve as money, and Lord Playfair in pamphlet No. 13 declares that the great bulk of the \$676,000,000 gold in the United States is circulating in trade, whereas our silver coin is stored in the cellars of the Treasury. Mr. Ottomar Haupt, however, in the pamphlet on "The Scarcity of Gold" explains the large accumulation of gold in the banks of Europe and the United States by the declaration that the public does not want to use gold, but prefers paper money.

These are samples of the sort of information and argument which one finds in these leaflets defending the gold standard.

There is throughout an absence of candor. For instance, Shaw-Lefevre, while attacking the claim that India's export trade has been benefited by the fall in the price of silver, points triumphantly to the fact that India's exports in 1895 were relatively small, notwithstanding the low price of silver. Now, as a matter of fact, India has not been upon the silver standard since 1893, and changes in the price of silver have not been reflected in the purchasing power of the Indian currency. Mr. Shaw-Lefevre makes no note of this important fact nor does he call any attention to the fact that the great fall of silver in 1890, when India was upon the silver standard, was followed by a 100 per cent increase in the exports of wheat from India. Sir John Lubbock denies emphatically that silver has been demonetized in recent years, and he supports his denial by showing that large amounts of silver have been coined in Europe and the United States in the last twenty years and are now in use as money. He apparently has no conception of the difference between the use of a metal as money, or as a standard of value, and its use as the material out of which credit money is made. In Europe and the United States silver is no more money to-day than is paper.

On the whole, these Gold Standard pamphlets deserve little commendation from any point of view. It is doubtful if they convert or convince the ignorant, and they are liable to injure the cause of the gold standard with men who think. In logic, candor and information, they are far below the "Sound Currency" pamphlets issued by the Reform Club of New York City.

TOGETHER WITH THE Jubilee Edition of John Morley's "Life of Richard Cobden,"* noticed in the March number of the ANNALS, † T. Fisher Unwin, has brought out an interesting volume of free trade essays, sympathetically introduced to the public by Mr. Richard Gowing. These consist of three essays which appeared in *Cosmopolis* for June, 1896, by Henry Dunckley, Paul Leroy-Beaulieu and Theodore Barth, the speeches of the Hon. Leonard Courtney and of the Right Hon. Charles Pelham Villiers, delivered at the Cobden Club dinner last summer and the address of the club to the latter veteran statesman. All of these essays are favorable to free trade but there is not much of jubilation in the account of "Richard Cobden; His Work and the Outcome of his Ideas," supplied by

**Richard Cobden and the Jubilee of Free Trade.* With an introduction by Richard Gowing. Pp. 246. Price, 3s. 6d. London: T. Fisher Unwin, 1896.

† Vol. ix, p. 272.

Paul Leroy-Beaulieu. In the opinion of the well-known French economist free trade has been losing ground since the death of Cobden in 1866. Even in England he perceives symptoms of the degeneration which is strongly marked on the Continent and in this country.

The other writers have no misgivings either in regard to the beneficence of a free trade policy or of the ultimate triumph of free trade ideas. Taken as a whole the volume contains in readable form some of the most important arguments in favor of England's chosen policy and much evidence as to the beneficial results that have followed the repeal of the Corn Laws in 1846.

PROFESSOR GIDDINGS IS to be congratulated upon the unusually hearty reception accorded to his "Principles of Sociology." A French translation has already appeared and the book is now being translated into Spanish by Professor Adolpho Posada of the University of Oviedo. The author's skill in the use of clear and concise language, combined with a happy style, makes his work deservedly popular. He has, however, added materially to its usefulness in the class-room by the preparation of a syllabus entitled "The Theory of Socialization."* The teacher who desires to use the "Principles" in class-work, will find the syllabus with its definite propositions of very great value. It will enable him to combine so much of Professor Giddings' theory as he may desire with lectures of his own, without any inconvenience whatsoever. It will add also materially to a clear conception of Professor Giddings' theoretical position. In many ways the statements in the syllabus are clearer than the corresponding passages in the "Principles," and one can see much more easily the proportions of the whole work and where the author desires to lay the greatest emphasis.

The first chapter on "The Modes of Purposive Activity," is almost entirely new and adds greatly to the value of the whole book. The chapter on "The Social Mind and Social Control" is the one which, it is to be hoped, the author will work over and restate in the future. In reply to various criticisms of the use which Professor Giddings makes of the term "Social Mind," he has modified it in a way to make it a less useful and consistent concept in his whole

* *The Theory of Socialization.* A Syllabus of Sociological Principles for the Use of College and University Classes. With References to the Third Edition of "Principles of Sociology." By FRANKLIN H. GIDDINGS, A. M. Pp. xiv, 47. Price, 60 cents. New York: The Macmillan Co., 1897.

system than the same ideas combined a little differently might be. Professor Giddings has been exceptionally free from the confusion in many sociological treatises arising from an injudicious use of biological terminology. While no one will accuse him any longer of supposing that there is a social ego or "mysterious transcendent being which manifests the phenomena of the social mind," he should free his students from any possibility of misunderstanding, by giving us some new term for "social mind."

In an appendix to the present book, the author has worked out an exceedingly interesting table on the basis of census figures, illustrating the application of his theory in relation to the degree of kinship in the population of the United States. When in time students have worked out these formulæ on the basis of other statistical reports and for other countries as well as the United States, a very interesting test of the accuracy of Professor Giddings' reasoning will have been made.

*Le Malentendu Monétaire** by M. Adolphe Houdard, is a keen criticism of gold monometallism and bimetallism at a fixed ratio by one who is not an apostle of either theory. The claims and pretensions of the monometallists are subjected to a searching investigation. Inasmuch as bimetallism, in the eyes of the author, consists in the simultaneous employment of both gold and silver, he finds that the monometallist contention ignores facts and places before us an ideal which is impossible of attainment. On the other hand he finds equal fault with the fixity of ratio which forms a cardinal point in the bimetallist creed. This then, is the monetary misunderstanding that the choice of policy is restricted to these two policies. Many years ago Joseph Garnier suggested that gold and silver circulate concurrently without a fixed ratio between them. To this suggestion the author returns. In some detail, he develops the possibility of a simultaneous existence of a gold standard based upon the *louis* and a silver standard based upon the *franc*, one destined for the larger payments of mercantile life, the other for the smaller ones. Up to the extent of perhaps five louis, there should be a legal relation between values, in order that commerce be not impeded by difficulties of making change. That such a plan would profoundly modify commercial usages, the author is free to admit, but would, he declares, be beneficial. It is difficult to see how such a proposition if practicable would meet the fundamental

* *Le Malentendu Monétaire*. By ADOLPHE HOUDARD. Pp. 48. Price, 2.50 fr. Paris: Guillaumin et Cie, 1897.

objection of the bimetallists that the gold basis leads infallibly under present conditions to an appreciation of the monetary unit.

STUDENTS OF SCIENTIFIC socialism and especially those interested in Karl Marx will be glad to know that a convenient and cheap edition of one of Marx's earliest books has just appeared. "*Misère de la Philosophie*"* is in many respects one of the most interesting and typical of Marx's publications. It was more than a reply to Proudhon. It was written originally in French in the winter of 1846 and 1847, almost at the beginning of Marx's literary activity. Engels wrote a long preface for a German translation which was published in 1892, in which he interpreted the essay as of value to German socialists as a criticism of the position of Rodbertus. This preface is reproduced in a French translation in the present edition and three appendices of more than passing interest are also included in this volume; one gives a French translation of an article by Marx on Proudhon, giving his personal estimate of the man. This was printed originally in the *Social Demokrat* in January, 1865. The second appendix contains an extract from Marx's work entitled "*Zur Kritik der Politischen Economie*," in which Marx shows that Proudhon's notion concerning the organization of exchange in credit banks originated with John Gray, and was elaborated by him in the book entitled, "The Social System, etc., a Treatise on the Principle of Exchange" (Edinburgh, 1831). The third appendix is a lecture by Marx on Free Trade, delivered in French at Brussels, January, 1848.

The essay on Proudhon, which covers about two hundred pages of this small edition, is full of spirit and in many places shows Marx at his best. His wide reading and ready use of material made him a rather formidable critic, while his impatience with any one who did not agree with his one-sided interpretation of history made him unfair. Many things in this early essay do not tally with his later views as expressed in his work on "Capital;" but the strong points as well as the limitations of his method are well illustrated in this earlier work.

THE STATE DEPARTMENT has issued Part II of the Consular Reports on "Money and Prices in Foreign Countries."† It describes the

* *Misère de la Philosophie. Réponse à la Philosophie de la Misère de M. Proudhon.* By KARL MARX. Avec une Préface de Friedrich Engels. Pp. 291. Price, 3.50 fr. Paris: Giard & Brière, 1896.

† *Money and Prices in Foreign Countries.* (Special Consular Reports, Vol. xiii, Part II) Issued from Bureau of Statistics, Department of State. Pp. v, 154. Washington: Government Printing Office, 1897.

monetary systems, the foreign trade, wages and prices in some twenty countries of the world, including Brazil, China, India, Japan, Peru, Russia, Spain, Sweden, and Norway. The reports are of unequal merit, but the volume as a whole will prove of great value to the student of finance and foreign trade.

MR. MAURICE L. MUHLEMAN has brought out a second edition of his very useful "Monetary Systems of the World"* in which the financial and banking statistics of the United States and of other countries are brought down to 1896. Recent bond issues by the government are described in detail as well as recent important events relating to monetary legislation and to the progress of international bimetallism. Mr. Muhleman takes his facts and statistics from official sources and his volume will be found exceedingly helpful to those who wish to have in condensed form a compendium of monetary information.

A RECENT ADDITION to the series of theses on the taxing systems of different states brought out by students of Professor Seligman of Columbia University is an essay by Mr. F. H. Noble, on "Taxation in Iowa."† The historical portion of this monograph is decidedly scrappy and unsatisfactory, but the account of the existing taxing system is ample and extracts from the laws now in force, which constitute the body of the essay, will prove serviceable to students who do not wish to consult the original statutes. The chapter on the "General Property Tax" suffers from a lack of careful revision more than any other portion of the essay. Little attempt is made to show how this important feature of the taxing system has developed or to explain the interesting deviations from the principle of a general property tax which Iowa has introduced. If the author had given some attention in his concluding chapter to the actual defects in the taxing system of Iowa as a working system and suggested reforms in harmony with the historical development of that system, the reader would gladly forego the defence of direct and collateral inheritance taxes which that chapter contains.

* *Monetary Systems of the World*. By MAURICE L. MUHLEMAN. Pp. 239. New York: Chas. H. Nicoll, 1897.

† *Taxation in Iowa: Historical Sketch, Present Status and Suggested Reforms*. By F. H. NOBLE, A. M., LL. B. Pp. 121. Price, \$1.00. St. Louis: Nixon-Jones Co. 1897.

THE WELL-KNOWN DICTIONARY of political economy edited by MM. Léon Say and Joseph Chailley-Bert has recently been brought down to date through the publication of a supplement.* The editors at first contemplated a new edition, the earlier one having been exhausted some time since, but were dissuaded from this idea by the representations of the purchasers of the dictionary that a supplement would answer the same purpose and save expense to both publishers and public. Among the new articles we note biographies of Cairnes, Hegel, David Hume, Jevons, Leibnitz, Leslie, Roscher, Léon Say, Spinoza, Thorold Rogers and West, discussions of the English School since J. S. Mill, Christian Socialism, Cereals, Railroads, etc., all of which are welcome additions, Mr. Henry Higgs contributes the article on the English School which contains a very fair-minded review of recent English work in economics. In general style the "Supplement" is uniform with the "*Dictionnaire*," and its articles compare very favorably with those of the earlier publication.

THE NEW YORK STATE LIBRARY has recently issued a Bulletin (No. 8) dealing with state finance statistics.† The receipts, expenditures, endowment funds and indebtedness for the years 1890 and 1895 are compared. Taking the aggregate of state budgets, the year 1890 shows a surplus of receipts over expenditures, whereas 1895 shows a deficiency. "The total receipts for the former year (1890) were \$111,195,003, of the latter (1895) \$124,925,920, an increase of about 12 per cent, while the expenditures meantime rose from \$105,904,997 to \$129,129,225 or 22 per cent." The report points out the very interesting fact that the total expenditures by the forty-five states in 1895 "were barely a fourth of those of the United States Treasury, while New York City alone spent 40 per cent as much as all the states combined." Of the total state expenditures, 37 per cent was for educational purposes. On the side of receipts, the most important changes are to be found in the increased returns from taxation of corporations and the inheritance tax. The former has risen from \$12,354,864 in 1890 to \$16,908,112 in 1895; an increase of 38 per cent. Inheritance taxes rose from \$1,886,509 to \$4,016,841 during the same period. The tendency seems to be toward special taxes involving the gradual subordination, or even abandonment of

* *Supplément au Nouveau Dictionnaire d'Économie Politique*. By MM. LÉON SAY and JOSEPH CHAILLEY-BERT. Pp. vi, 271. Price, 5 fr. Paris: Guillaumin et Cie, 1897.

† *State Library Bulletin*, Legislation, No. 8, March, 1897. Pp. 54. Price, 10 cents. Albany: University of the State of New York, 1897.

the general property tax, as in the case of Connecticut and Delaware. The indebtedness of the states is being reduced far more rapidly than that of the federal or local governments. The total debt of \$203,804,575 in 1890 was reduced to \$174,027,326 in 1895.

THE FIFTH VOLUME of Traill's "Social England,"* which has lately appeared, carries the narrative along from the accession of George I. to the Battle of Waterloo, and thus covers the formative period in the history of modern England. There are twenty-two contributors to this volume, each considering some different phase of England's social development and the result, as in previous volumes, is a somewhat uneven sketch of the history of the century covered. The economic student will turn first of all to the sections on agriculture written by Mr. Prothero and those on manufacturing written by Mr. Beazley. In the contributions of both these gentlemen will be found a good deal of interesting material not easily accessible elsewhere, but little calculated to modify preconceived opinions in regard to the agricultural and the manufacturing development of England during the last century. The volume is supplied with useful bibliographies, a full table of contents and an excellent index.

THE INTEREST AROUSED by the work of Lombroso and his school, has given rise not only to a large number of volumes devoted to the various aspects of criminal anthropology, but also to two periodicals, one in Italy and one in France, devoted to this field. In Germany the doctrines have made comparatively slow progress, but a widespread interest has been awakened in the problems raised. This now finds expression in a new journal, "*Zeitschrift für Criminalanthropologie, Gefängniswissenschaft und Prostitutionswesen*," of which the first issue appeared March 20, 1897. The editor is Dr. Walter Wenge, of Berlin, and the contributors comprise the principal criminologists of Germany and Austria. Lombroso and modern criminal anthropology, crime and insanity, the handwriting of criminals and kindred topics drawn from the pathological aspects of human society are discussed in the first issue. The journal will doubtless furnish a useful repository for articles and discussions which must otherwise appear sporadically in legal, medical and psychiatric periodicals.

* *Social England*. A Record of the Progress of the People in Religion, Laws, Learning, Arts, Industry, Commerce, Science, Literature and Manners from the Earliest Times to the Present Day. Edited by H. D. TRAILL, D. C. L. Vol. v. Pp. viii, 636. New York: G. P. Putnam's Sons, 1896.

REVIEWS.

- Studies in Diplomacy.* From the French of COUNT BENEDETTI. Pp. lxi, 323. Price, \$3.00. New York: The Macmillan Co., 1896.
- An Ambassador of the Vanquished, Viscount Élie de Gontaut-Bison's Mission to Berlin, 1871-1877.* By the DUKE DE BROGLIE. Translated, with notes by ALBERT D. VANDAM. Pp. 282. Price, \$3.00. New York: The Macmillan Co., 1896.

In the first of these volumes Count Benedetti takes up again the difficult task—begun in his "*Mission en Prusse in 1871*"—of justifying himself in the eyes of the French people and throwing the blame for the precipitate war of 1870, which many have attached to him, on to the shoulders of Duke de Gramont, Bismarck and William I. Feeling that he has been ill used by those at whose hands he expected at least consideration, his cry is for justice. Much of the book, therefore, is given up to the details of the attempt to place Prince Leopold on the Spanish throne, after Isabella had been forced to abandon it, and of Benedetti's mission to Ems to get William I. to disavow such a proceeding officially. While the spirit of his race is seen on almost every page of his book and no attempt is made to disguise his hatred for Bismarck, his words must be accorded a respectful consideration by the historian. For Benedetti played a leading part in the prologue to the war of 1870, and his views are those of one intimately acquainted with the preliminary stage-setting. His aim is to show that Prussia, and consequently Bismarck, was responsible for that war, that William bore a part of the responsibility, and that events were hastened by the ill-judged attitude and demands of the Duke de Gramont.

He informs us that he knew Bismarck was doing all he could to bring about the war; that he foreshadowed this in his dispatches so far back as 1866, and that he was aware Bismarck was only playing a game of delay in order that a favorable opportunity might be created. And from his statements the inference is natural, that he (Benedetti) fully understood that Bismarck was only using France as a tool to aid in accomplishing his own desire—the unification of Germany.

When the attempt to place Leopold on the Spanish throne became known to de Gramont, Benedetti was immediately ordered to repair to Ems and insist upon King William's directing that Leopold not only reconsider his acceptance but decline the crown. The orders to Benedetti were couched in anything but diplomatic language, and he takes ample occasion to show how he modified their tone when presenting them to William, and at the same time shows his contempt for the immoderate zeal of de Gramont. The day after his arrival at

Ems he obtained an interview with the King, in which he expressed the hope that he would advise Leopold to renounce his intention of accepting the offer made to him. The King's courteous reply was that, having had no hand in the negotiations, he had so far only indicated to Prince Anthony, Leopold's father, that if Leopold accepted he would approve, or if he now felt inclined to reconsider his action and withdraw he would still approve, his only desire being the furtherance of the best interests of international peace and harmony. In subsequent interviews the attitude maintained was always the same, and always with a kingly courtesy and dignity. But when the negotiations between Spain and Prince Anthony had reached such a point, that William deemed it wise to take a further step, he yielded to the persistence of Benedetti so far as to say that he expected a communication from Prince Leopold and that upon its arrival would give a definite answer. This, too, with the air of one having no part in the events, and unaware of what was going on until informed, while all the time not only controlling the negotiations but fixing the time for the public announcement of the results.

Thus put off, de Gramont grows impatient and demands that the King announce his disapproval of Leopold's course; but fearing this is going too far he immediately sends another dispatch to Benedetti requesting that above all the announcement of Leopold's withdrawal be given the stamp of official Prussian sanction by coming first from the King. William promises again to convey such intelligence as is at his command, and on the thirteenth of July authorizes Benedetti to say to his government that Leopold had resigned and that he approved of the act, but this communication came not in audience with the King, as he had promised, but was transmitted through one of his aides-de-camp. Meantime William had carefully arranged matters so that the first announcement should be made in Paris through the Spanish ambassador there, and this was done on the twelfth of July. The excitement was great, and de Gramont finding that he had been outwitted, tried to retrieve the day by demanding through Benedetti that William guarantee that Leopold would not again become a candidate, and through the Prussian ambassador, Werther, that he (William) make a statement that the affair was at an end and that all misunderstandings between the two governments should now cease. To these William replied firmly that the incident must be considered closed. Then came Bismarck's Ems dispatch and the declaration of war.

One rises from a perusal of these pages with the impression that whatever may have been the abilities displayed by de Gramont and Benedetti, they were as puppets in the hands of Bismarck and

William. The latter, indeed, in the conduct of the Leopold episode, betrays a subtle diplomacy that we are more inclined to associate with the Latin than with the Teutonic mind. He not only toyed with Benedetti and de Gramont, but arranged with Princes Anthony and Leopold that the announcement of his resignation should first be made public as the latter's individual act, with which he had no official concern; and that done, he of course had no hesitation in subsequently stamping it with his approval. If the figure of Bismarck is stamped in bold relief on the pages of Count Benedetti's book, his prominence is almost as great in the volume of the Duke de Broglie. M. de Gontaut was called upon by his defeated and humiliated country to represent it at the victorious court of the newly created Emperor. And that he was able to do this with some grace and no little tact, though without previous diplomatic training, speaks well for his abilities. Still, these pages have to do rather with the small talk of diplomacy, for they enlighten us little upon the great events happening in Europe. They serve also to show what an attitude of studied contempt for France Bismarck adopted in his relations with M. de Gontaut. Astounded at her rapid recovery from the disasters of the war, Bismarck for a moment looked with jealous eye on the military preparations that France was making, and made them the pretext for causing M. de Gontaut all sorts of evil quarters of an hour. He assumed the position of big bully, and by refusing to have intercourse with M. de Gontaut, except through an intermediary, who was entrusted with no powers to conclude any negotiations, he showed that, having France once under his heel, he meant to keep her there.

HERBERT FRIEDENWALD.

Philadelphia.

The Puritan in England and New England. By EZRA HOYT BYINGTON, D.D. With an Introduction by Alexander McKenzie, D.D. Pp. xl, 406. Price, \$2.00. Boston: Roberts Brothers, 1896.

Mr. Byington has, on divers occasions, been asked to read papers before "a number of historical societies, and before students, in colleges and seminaries." These essays, "rewritten and reconstructed, so as to bring them into connection with each other," are now presented to the public as a treatise on certain aspects of Puritanism. The result is a readable book—in large type, with a picture or so, to which a reader may devote a few hours with the comfortable feeling that the history is orthodox, according to Green, Macaulay and Palfrey, and the point of view satisfactory to good Americans.

When one seriously asks: What is the scientific value of this work as a contribution to historical writing, it must candidly be confessed that it cannot be rated very high. While Mr. Byington is, strictly speaking, neither a collector of facts nor an "artist in world-movements," yet his aim is toward the latter. His book is not, in the main, a critical study of the sources of historical information; it does not seek to discover new facts, or criticise received statements; on the contrary it takes its facts generally from well-known authorities and attempts to show their meaning and relations, and to illustrate the conclusions by references here and there to original sources. Excellent as such a purpose may be, its successful accomplishment demands no ordinary equipment. A trite and exasperating criticism of humble monographists in history, often is that they confine their work to dead facts and do not rise to the broader relations and meaning of those facts. To this they rightly reply that such was not their object, they wished merely to furnish material to the artists of history, and that while there is a limit to such division of labor, yet the division is, in this complicated world, absolutely necessary. Mr. Byington, however, has no such excuse to offer; he has avowedly undertaken a piece of broad intricate historical writing; work that requires not only artistic sense and philosophic insight, but a long training in analysis, and a broad acquaintance with the almost infinite details of history. These requirements Mr. Byington does not possess. He is evidently a clergyman and has set about writing history as he writes sermons, that is, topically. Now history can be written topically only by one who possesses back of the separate topics a unified body of knowledge—a unified conception of the general subject. Otherwise we shall have a series of essays, interesting perhaps, but not very valuable, not very true, and, above all, disconnected. Such is the book before us. The author first wrote an essay on the heresy trial of a stout old Puritan, William Pynchon; then he wrote an essay on Puritan ministers in general, and another on the case of Robert Breck. An invitation to Maine probably caused the essay on Northern New England Puritanism, and, it being necessary to have an introductory chapter, that on the Puritan in England was compiled. The result of this is, naturally, not a book but a series of dissertations, on slightly related subjects, but lacking that broad fundamental grasp of the central subject of Puritanism, which its topical treatment absolutely demands.

Moreover, the author's acquaintance with sources of historical information in regard to his subject, is not such as to inspire confidence in his critical judgments. One feels that his broader

conclusions are those of the authorities so copiously quoted: Hallam, Green, Palfrey, Campbell, Neal, and others. When the author himself ventures among original material he evinces that lack of discrimination that characterizes the new comer; for instance, we have placed before us in one breath as authorities, copious extracts from Colonel Hutchinson's letters to his wife, and from Longfellow's "Miles Standish."

Such a book may be interesting, it may even justify publication for certain readers, but it is not a distinct contribution to historical writing. The non-committal words of the introducer, Dr. McKenzie, best characterize the work: "The design of this book is a large one."

W. E. BURGHARDT DU BOIS.

University of Pennsylvania.

The Physiocrats: Six Lectures on the French Économistes of the Eighteenth Century. By HENRY HIGGS. Pp. x, 151. Price, \$1.10. London and New York: The Macmillan Co., 1897.

As the first work in English dealing in a comprehensive way with the Physiocrats, Mr. Higgs' "Lectures," will be welcomed by a wide circle of readers. While they do not add very much to what was already known in regard to the leading doctrines of this school, they do contain a very full and interesting account of the Physiocrats themselves and of the literary history of their ideas.

At the outset the author explains that "critical and doctrinal comment" have been restricted within the narrowest limits, with a view to making the lectures interesting to the somewhat miscellaneous audience for which they were originally prepared. In this endeavor he has been entirely successful. Anecdote and biographical detail help to give a vividness to his characterizations of Mirabeau, Turgot and the other writers of which he treats, while his analysis of the theories of the school is simple and direct. Even Quesnay acquires flesh and blood under his treatment and his "*Tableau Économique*" is explained so that the dullest intelligence may understand it.

Starting out with a brief description of the economic condition of France during the first half of the eighteenth century, Mr. Higgs makes Cantillon's "*Essai*," published in 1755, the first literary landmark in the history of Physiocratic ideas. He shows how much Mirabeau's "*L'ami des hommes*" owed to this work and describes the celebrated meeting between that author and Quesnay in July, 1757, which gave the latter his first and most devoted disciple. The

second of the six lectures is devoted to an account of the life and writings of Quesnay and here the leading features of the "agricultural system" are explained. In the third, fourth and fifth lectures an excellent sketch of the growth of the school, of the characters and writings of its principal members and of its opponents is given and abundant references are supplied to enable the student to follow out any special phase of the thought and activity of this interesting group of writers. Turgot's saying, "*Je ne suis point encyclopédiste car je crois en Dieu. Je ne suis point économiste car je ne voudrais pas de roi,*" is quoted and serves to explain more clearly his relation to his contemporaries than pages of description could do. In conclusion Mr. Higgs traces out the "influence of the school" as reflected in the writings of English economists from Adam Smith to Henry George, and in such French writers as J. B. Say and Bastiat and calls attention to the progress made towards the system of liberty and the concentration of the burden of taxation upon land.

The great merits of these lectures lies in the very complete view of the literary history of the Physiocrats which they contain. There is hardly an important writing that is not analyzed or an important writer about whose life and character something interesting is not said. When it comes to the philosophical explanation of the Physiocratic system however, and the appreciation of their services to economic science, the book under review leaves much to be desired. The very profusion of biographical and bibliographical information which is supplied tends to obscure the historical problem which a writer on the Physiocrats should hold steadily in view. Just why did this system of economics attain to the remarkable vogue which it enjoyed from 1760 to 1780? What was peculiar in the situation of France which led her thinkers to give so much attention to social philosophy and to ascribe so much importance to agriculture in the industrial economy they contemplated?

The answers to these questions are contained implicitly in the material which Mr. Higgs has brought together, but he nowhere brings out clearly either the questions or the replies which he himself would make to them. The history of a school of thought is more than an account of individual peculiarities and of individual opinions. In the history of political economy no school has yet arisen which has had so much the character of a religious "sect" as did the Physiocrats. For this there must be some explanation and the critic who will adequately explain this phenomenon and distinguish the permanent element of truth in those systems of political economy which separate out the industry devoted to procuring

subsistence from the mass of human activities will find his audience ready for him. Mr. Higgs does not do this, but the more modest task, which he does undertake, is performed with a care and judgment which make his "Lectures" a valuable contribution to the history of economic theories.

H. R. S.

A Critical Study of Nullification in South Carolina. By DAVID F. HOUSTON, A. M. Pp. 175. Price, \$1.25. New York: Longmans, Green & Co., 1896.

This monograph supplies a readable presentation of certain sides of the nullification controversy. The work is not intended as a general history of the subject but rather as a sketch of the internal development of the doctrine in a single state of the Union. The author traces the various stages of the movement from the earliest symptoms of discontent in 1816-1820 down to the frank enunciation of the doctrine in 1833. The chief merit of the monograph lies, not so much in the discovery of new facts—to which indeed the author makes no claim—but rather in showing the intimate connection which existed between the doctrine of nullification and its underlying causes. The institution of slavery rendered impossible the introduction of manufactures into the South and made it dependent for its prosperity on the sale of cotton, a commodity whose price had begun to fall. The older states of the South, therefore, declined in prosperity in competition with the newer and more fertile regions opened to cultivation. The acute feeling of discontent arising from these conditions vented itself in attacks on the tariff which was regarded as the cause of all the evil. Some justification for this complaint was given by the grasping and selfish policy pursued by the Eastern and Middle States, and added causes of irritation were found in the supposed tendency of the federal government to increase its powers in other directions as well as in the open attacks on slavery made in the halls of Congress by Northern representatives.

As to the significance of the nullification movement the author points out that, although the nullifiers originally contemplated secession only as a remote possibility, the continued action of the real causes which produced the doctrine of nullification lead inevitably to the movement to dissolve the Union. "By 1832 the feelings of a majority of South Carolinians were alienated from the Union . . . many of her wisest and most far-sighted citizens felt that the final struggle was only a matter of time."

JAMES T. YOUNG.

The English Constitution ; A Commentary on Its Nature and Growth.

By JESSE MACY, M. A., Professor of Political Science in Iowa College. Pp. xxiii, 534. Price, \$2.00. New York and London : The Macmillan Co., 1897.

Since Professor Macy published his little book on civil government in the United States, students of politics have expected nothing but good work from his pen. The present volume on the English constitution is, on the whole, the most elaborate and the best that he has published.

The book has been written primarily to furnish in convenient form for American students a sufficient account of the development and present working of the English constitution to enable them to understand thoroughly the government of the United States. Professor Macy believes with Mr. Hannis Taylor, and indeed with most students of American politics, that no thorough knowledge of that subject can be acquired without noting carefully the historic connection between American and English institutions. Moreover, no other government of the present day is so suggestive by way of contrast. The United States is considered the type of the presidential form of government; England is the best representative of the parliamentary form. The United States is the typical country with a written constitution; England the typical country without a written constitution.

The first part of the work is, for American students, on the whole, the best account that can be found in compact form of the English constitution as it works to-day. It lacks some of the life and vigor of Bagehot's account, is indeed somewhat diffuse in style; but it is more complete than Bagehot's, and being written from the American standpoint is peculiarly adapted for the use of American students. Throughout the work Professor Macy has aimed to give not merely the form of the English government, but also to interpret its spirit; and he also presents the contrasts in our government in such a way as to bring out the strong and the weak points in each.

Every student of politics is likely of course to have his own point of view, and in consequence to find in the work of another parts that seem especially strong and others that seem weak. To the reviewer of this work, the chapter on the English courts seems especially good, and the discussion regarding the influence of the judiciary upon the constitutions of the two countries unusually suggestive and helpful. The discussion of the prerogative of the Crown is also of especial merit; while that regarding the church seems to be inadequate. Aside from the direct question of its

disestablishment, the church has a very powerful influence in many cases in English politics to-day, and some few words at least might well have been said regarding this influence.

In one or two minor matters, Professor Macy seems to have failed to make quite clear the spirit of the English government. For example, in his chapter on the House of Lords, in referring to the duty of the Lords to yield to the House of Commons on matters of vital importance, Professor Macy seems to imply some formal distinction that separates cabinet from non-cabinet measures, though possibly he does not intend to give the impression that there is any formal distinction between the two, so far as their nature is concerned. Any measure that would be of sufficient importance to force an issue between the two houses, and that the cabinet cared for any reason whatever to press, would be in the nature of the case a cabinet measure. Adoption of a bill by the cabinet means only that the cabinet thinks it important, and is willing to use its influence in pushing it, even to the extent of risking a defeat and consequent resignation if necessary.

In this same chapter on the House of Lords are one or two statements that, strictly speaking, amount to misstatements of facts. For example, on page 43 it is stated that three members of the House of Lords constitute a quorum for doing business. Of course this is technically true, and in speaking of the judicial functions of the House of Lords, it would not be misleading. But with reference to ordinary legislation it is misleading, since, according to rule 33 of the house, adopted in 1889, thirty Lords must be present in order that a question may be decided on a division. Again, on page 44, in contrasting the attendance in the House of Lords with that in the House of Commons, the statement is made that "nearly every member of the Commons habitually attends its sittings. On important divisions each of the two parties musters nearly all its force." This is somewhat too emphatic. It is well known that the House of Commons has not seating capacity to accommodate all its members, and on most divisions, even the important ones, a goodly number is absent. On the second reading of Mr. Gladstone's Home Rule bill, to be sure, there were only fourteen members absent, and they were paired. But on that measure even the House of Lords mustered 460. On most of the divisions in the Commons on the Home Rule bill, considerably more than one hundred members were absent, and in no case, I believe, except the one mentioned, were less than fifty absent. Of course no other measure of late years has aroused the same interest, and at no other time probably has the attendance been so uniformly large as during that discussion.

Again, on page 87, it is implied that the Board of Trade is no longer even formally a committee of the Privy Council; but while it is a department of administration, I believe that in form it is still a committee of the Privy Council. These errors, however, are none of them important, and they are few.

The second part of the work, on constitutional history, is full of information; and in writing it Professor Macy has shown very great skill in selecting just the matter that was needed to show clearly the successive steps in the development of the constitution.

On the whole, the book will doubtless be found the most satisfactory one for use in American colleges in the study of the English constitution.

JEREMIAH W. JENKS.

Cornell University,

Théorics modernes sur les origines de la famille, de la société et de l'état. Par ADOLPHO POSADA, Professeur de droit politique a l'Université d'Oviedo. Ouvrage traduit de l'espagnol, avec l'autorisation de l'auteur, par Frantz de Zeltner et précédé d'une préface de René Worms. Bibliothèque sociologique internationale, No. IV. Pp. 150. Price, 4 francs; cloth, 6 francs. Paris: V. Giard et E. Briere, 1896.

Recht und Sitte auf den verschiedenen wirtschaftlichen Kulturstufen. Von Dr. RICHARD HILDEBRAND. Erster Theil. Pp. 191. Jena: Gustav Fischer, 1896.

Both of these books are of unusual interest to students of primitive institutions, especially to those familiar with the controversy over the early forms of the family. In one sense, without apparently having had any influence on each other, they mark the summing up of an old and the beginning of a new order of procedure in such studies.

Professor Posada published his work in the Spanish original in 1892,* and has made few changes in the text for this French translation, other than in the addition of two short appendices, one developing more fully his thesis as to the character of the political state which he conceives to be dependent on the "*symbiose territoriale*" or association of families and individuals within territorial limits but without community of origin or blood relationship, and the other putting forth an hypothesis contrary to the supposition that the matriarchate is the more primitive type of family. This hypothesis consists of a linguistic argument, by no means conclusive, resting on the assumption that the radicals *pa* and *ma*, common to so many languages to denote father and mother, vary sufficiently in the ease with which they can be pronounced to indicate that *pa*, the easier to pronounce, is the older.

*Madrid, Imprimerie de la Revue de Législation.

Ma is the softer sound and *pa* the harsher, hence the latter is associated with authority and with the presence of the male. From this Posada infers that the prior position and authority of the father is indicated. Interesting as is the suggestion it must needs be verified and substantiated by many more arguments than Posada has given, and it is not likely than he can make it conclusive or satisfactory. It is significant, however, that he declares the solution of this problem of priority to lie outside of historical proofs. The confusion arising from the results of the studies of Maine and Fustel de Coulanges, who support the patriarchal theory, and those of MacLennan, Bachofen, Lubbock, Taylor and Spencer, who acknowledge the matriarchate in some form, as well as those of Giraud-Tenlon, Dargun, Post, Letourneau and Starcke, has been forced home on Posada after the careful review of these various theories which he makes in the main portion of his book. Herein consists the value of his work. René Worms says the French translation was deemed advisable because so many of the authors referred to were not accessible in French. English students are more favored because most of these appeared originally in English. But the theories referred to are buried in such a mass of details that those who are not specialists often lose their way, and English readers will find the French translation useful for the concise, clear and satisfactory review of the leading theories respecting the primitive forms of the family which it contains. Posada approaches the problem throughout from the point of view of the student of political science who is in search of the characteristic feature of the political state and believes it to lie outside of the blood-tie. In his suggestion that the bond that characterizes society in general is not that of blood, but a "*communauté de nature*," he has almost anticipated Professor Giddings' contention that the original and elementary social fact is consciousness of kind. Posada has given an excellent summary of the historical method of dealing with the vexed problem of the origin of the family, society and the political state, and pronounces the result confusion, and in conclusion throws out the linguistic hypothesis to account for his own position.

Thus far we have the summing up of the old *modus operandi* in dealing with these questions. Hildebrand breaks new ground. His "*Recht und Sitte*" is a fascinating book both in its method and its results, many of which are tentative and will doubtless have to be given up upon wider research. He appeals to a wide range of facts. The problem he keeps distinctly in the foreground is the determination of a general history of the development of law and custom not by an historical comparison of the phenomena observed by different peoples at different times, but by grouping the material obtained in

this way according to general economic stages of culture or civilization (*nach wirtschaftlichen Kulturstufen*). In this first part of his work he treats of the hunting and fishing stage, of the pastoral stage and of the landowning stage. It is surprising how much order comes at once out of what has been hitherto confusion as a result of the application of this method. The work combines a happy use of deductive reasoning with inductive verification, which should be the rule rather than the exception in social and economic studies. The way in which the results are stated with the references to authorities interspersed, and the typographical arrangement, are a vast improvement on the average German book-making.

Hildebrand starts out with man in the hunting stage, living in families, not in hordes, and traces first the development of the idea of property in wife and child. An appeal to a little wider range of facts would have corrected one error here, namely, that there is no property in wives in the fishing stage, or not until after the stage of hunting large animals has been reached. In South America there are instances where peoples in the fishing stage have reached an economic development when property in wives was recognized, the women being employed in rowing and managing the boats used in fishing. Hildebrand might have used to advantage the voluminous reports of the American Bureau of Ethnology, which contain a mine of wealth only too little known to English-speaking students.

In both works here referred to there is much to support the view that the problem of the primitive family might be reduced to much simpler terms if we separated out the idea of the family as an institution having its chief support in primitive times from some social, economic or religious motive entirely disconnected from any notion of marriage. Westermarck, indeed, says* in one connection: "Marriage is therefore rooted in family, rather than family in marriage," but does not seem to realize fully the significance of the statement. If we once admit that systems of marriage grow out of the family, a still more primitive form of social organization recognized as such, the various forms of marriage (monogamy, polyandry, polygamy, etc.), are less perplexing, and the question of priority in these forms less important. The fundamental question then becomes what was the nature of the most primitive family bond, and the method of inquiry which Hildebrand launches forth so ably, if carried back to earlier stages of human development and economic epochs anterior to the fishing stage, bids fair to shed light on one of the most perplexing but intensely interesting parts of sociological investigation.

SAMUEL McCUNE LINDSAY.

* "History of Human Marriage," p. 22.

Domestic Service. By LUCY MAYNARD SALMON. Pp. 307. Price, \$2.00. New York: The Macmillan Co., 1897.

The servant girl question, that bugbear to domestic happiness which we are prone to fancy a special cross laid upon us by Providence to save us from the fate of Jeshurun, has, hitherto, received little attention from trained economists. It has been, however, a happy hunting-ground for general writers upon social topics, who have advanced innumerable suggestions and plans for the promotion of domestic felicity, which have left us very much as we were before. The merit of Miss Salmon's work consists in a scholarly investigation of the various aspects of the question, not as an isolated problem but as closely related to the manifold industrial and labor difficulties of modern society. She has written not merely for the edification of the housekeeper, but also for the instruction of the economist.

In the early chapters of the book, Professor Salmon gives a readable account of domestic service in the colonial period. The story of the indentured servant and the redemptioner of colonial days has been told before, and its incidents are not unfamiliar to the historical student. It acquires here a new interest from a lively recital and from its obvious connection, by way of contrast, with later conditions. The chapter which traces the transition from the quasi-patriarchal relations of the colonial era to the contractual basis of modern life, presents material less widely known, and disappoints only because of its brevity.

The body of the work depicts present conditions and discusses the future. In dealing with the economic and social conditions of this form of labor, Miss Salmon reproduces the results of a statistical investigation undertaken in 1888, and printed in 1892 in the publications of the American Statistical Association. We should regret the prominence given to these figures, if her treatment of them were not of greater value than the data themselves. In her introduction and elsewhere, Miss Salmon has rested her case too largely upon these inadequate figures and in this, unconsciously, does her argument an injustice. They were gathered unsystematically and are not sufficiently numerous to give a view of the general aspects of the question. As collateral evidence they are of value and this is their real place in the treatment. Statistical evidence from the census and other sources carefully compiled by the author, gives an adequate picture of the conditions with which she is concerned.

Miss Salmon points out that if economic condition be judged solely by present earning capacity, the position of the domestic servant is very favorable. On the other hand, it affords no prospect of promotion and involves social disadvantages which fully off-set the

high wages. The domestic servant stands outside of the main current of industrial life. She lives in isolation, apart from her own kith and kin, without industrial organization and without social union with those of her own class. Elsewhere in society organized forces of capital and labor control economic relations, the domestic servant alone remains a unit. Her relation retains personal aspects which have elsewhere disappeared. From this ill-adjustment of service to the economic life of the time, grow infallibly the difficulties and discontents which, in concrete form, vex the souls of housewives sometimes beyond endurance.

Reform cannot be personal and individual. The keynote of the situation is struck when Miss Salmon says "What domestics as a class desire is the opportunity of living their own lives in their own way." They desire to be on the same footing with other laborers. With this fundamental principle in mind, the author makes short work of various well-meant proposals which neglect this thought. Reform must be economic, must affect the conditions of this class of labor, must be slow and must be an evolution. Woman's labor in modern industry has grown out of household occupations and we have not yet reached the limit of this evolution. As women's labors are eliminated from the household, the greater the proportion of women workers whose labor is removed from the quasi-patriarchal form of the family and made to harmonize with the conditions of modern industry. The number of "employees" increases as the number of servants decreases. Miss Salmon is not dogmatic but is hopeful of adjustment to the economic conditions of modern labor. The general principle is outlined with a bold hand, the indications of it with some diffidence. Miss Salmon is by no means sure that they will receive a ready assent and offers them merely as straws which may show the direction of the current.

The work is full of fruitful suggestion, worthy of the thoughtful attention of economists. It brings us a discussion of domestic service as a part of the general labor problem, and is an admirable account of the phases which the problem assumes in the case of the ever present, but economically neglected, servant.

ROLAND P. FALKNER.

The Street Railway System of Philadelphia; Its History and Present Condition. By FREDERIC W. SPEIRS, Ph. D. Johns Hopkins University Studies, XV Series, Nos. 3, 4 and 5. Pp. 123. Cloth, \$1.00; paper, 75 cents. Baltimore: The Johns Hopkins Press, 1897.

This book, although dealing almost exclusively with the street railway system of a single city, is of interest to a far wider circle

than to the community of which it treats. The experience of Philadelphia in street railway matters is unfortunately quite typical of American experience generally. The franchises may have been granted on slightly different terms in different cities; one city may have exacted more favorable returns, or retained a larger measure of control and power of regulation than another; but nearly every city has failed to understand the economic relation of natural monopolies to the public and nearly everywhere with the same practical results. For a score of years the problems of municipal government have received a generous portion of public attention in periodical literature. Unfortunately, however, this discussion has generally been based on no adequate investigation of facts. The public has thus far, for the most part, been regaled on theories based largely on general impressions, and newspaper accounts.

Dr. Speirs' monograph on the "Street Railway System of Philadelphia" is not only a credit to himself as a careful piece of scholarly investigation in an important field already too long neglected, but it also cannot fail to be of great value to the general reader, interested in municipal problems. The tone is admirably judicial. It will accordingly be disappointing alike to the radical and the conservative, and to all others whose theories are formulated without much knowledge of, or regard for the facts. The book is neither a special plea for or against public ownership, but an unprejudiced recital of the facts relating to the development of the street railway system in Philadelphia, so far as Dr. Speirs has been able to ascertain them. Incidentally it is an interesting commentary on a large and important body of facts that the public are entitled to know, but which neither the public nor the investigator is yet able to ascertain.

In writing a book to be read only by economists, it would perhaps be unnecessary to make a very full statement of the economic relation of natural monopolies to the public, but evidently Dr. Speirs' book is not intended for economists alone, for the early chapters treat of episodes in street railway history, interesting to the general reader, but of little importance to the specialist. It is accordingly to be regretted that the chapter on the "Evolution of Monopoly in Street Railway Service" does not more fully discuss the monopolistic nature of street railways generally and the inevitable and necessary tendency toward consolidation where franchises have been granted to rival companies. The average citizen is still persistent in his belief that the prices demanded for services furnished by natural monopolies are regulated by competition, and by cost of production; even so intelligent a body as the

Massachusetts Board of Railway Commissioners have asserted in a recent report that a tax on a street railway company, either in the form of a gross charge for the franchise or a percentage of receipts, is a tax on the passenger, and it is accordingly a visionary scheme to attempt to make the street railway service a source of public revenue.

The history of the street railway service in Philadelphia shows a persistent but futile attempt on the part of the state legislature to secure competition by granting franchises to rival companies. During the period from 1857 to 1874, no less than thirty-nine different companies were granted charters to operate street railways in Philadelphia. From the very beginning an agreement was entered into by the different companies for the purpose of regulating competition. By 1876, the thirty-nine companies had been consolidated into seventeen, operating their lines in nominal independence, but really working under an agreement made by the Board of Street Railway Presidents and controlled by them. Since 1880, consolidation has been greatly facilitated by the formation of traction companies, and the introduction of electricity as a motive power. Finally, in 1895, all the important lines except one were consolidated by merger or lease, into a single giant corporation, with an authorized capital of \$30,000,000 and controlling more than four hundred miles of track.

The returns exacted for these valuable franchises fall into three classes: (1) Nearly all the roads are required to repave and keep in good repair the entire street occupied by their tracks. This condition was exacted by general ordinance in 1857 before the great value of street railway franchises was known. It has been a source of endless litigation, the street railway companies at first denying the right of the city to impose the condition, and subsequently when the city began to replace the cobble stone with improved pavement, they maintained that they were not required to repave with any other material than the original pavement. The Supreme Court, however, decided in 1891, that it was never intended that the street railway companies should always continue to exist in "a cobble-stone age," and the decision of the lower court was affirmed requiring them to repave with a new and improved pavement. Since 1891, 271 miles of streets have been repaved by the street railways companies, at an estimated cost of \$9,000,000. The annual value of this to the city is estimated at \$450,000.

(2) Most of the companies chartered by special act prior to 1874 are required to pay a small tax on dividends when the dividends exceed 6 per cent. This provision, too, has caused considerable

litigation, the companies attempting to evade the plain provision of the law by devious methods well known to such corporations. The amount received from this source in 1895 was \$92,339.20. None of the companies chartered under the general law since 1874 are required to pay this tax, although under the constitution the city has full power to exact such terms as it chooses. As a matter of fact several companies whose charters require them to pay a tax on dividends, are evading the law wholly or in part.

(3) The third source of revenue is a car tax of \$50 per car, from which the city received in 1896, \$97,550. Dr. Speirs justly condemns this form of taxation, as it offers a direct inducement to the companies to furnish inadequate car accommodation, nor is the tax so easy of collection as he seems to think. The total annual return received by the city is placed at \$639,000. It appears from this that Philadelphia is receiving a larger return for the franchise privileges granted than many other large American cities. Unfortunately, however, under the pernicious system of granting perpetual franchises, the city has placed itself beyond the possibility of exacting a return at all approximating the amount it could equitably demand, while many other cities by granting franchises for a limited period will be able later to secure much more favorable terms. Dr. Speirs does not specifically discuss the question of the most desirable form of return for franchise privileges, whether by sale of franchise, by taxation, or by better service, and lower fares. Nor does he discuss the theoretical questions of public ownership, or public control. But the book is bristling with facts bearing upon these questions, and is indispensable to the municipal reformer, studying street railway problems.

It is to be regretted that fuller information could not be given in regard to the financial aspects of the question. But every investigator knows that the methods of accounting and making reports followed by the street railway companies are better adapted to conceal, than to impart information.

ALBERT A. BIRD.

Otto, N. Y.

Southern Statesmen of the Old Régime. By WILLIAM P. TRENT.
Pp. xv, 293. Price, \$2.00. New York: T. Y. Crowell & Co., 1896.

In his life of Simms, Professor Trent showed such a sympathetic insight into the political life of the South in *ante bellum* days, that we look to his pen for valuable contributions to this side of American history. The volume under review justifies this expectation. Professor Trent has a rare breadth of view and felicity of literary

style. He makes his characters live before us. They are not mere abstractions or catalogues of attributes, but flesh and blood men of like passions with ourselves. They did not act from different motives than those which actuate us to-day. Trent calls this fact to our minds, from time to time, by such remarks as the following: "But impartiality was never Davis' forte, and where slavery was concerned, he was always preternaturally squint-eyed. . . . Yet I venture to assert that ninety-nine out of a hundred are going, in this presidential year, to be guilty of partisanship just as indiscriminating as Davis', only perhaps less dangerous in its consequences."

The book was originally a series of lectures and bears evident marks of its origin. As his typical Southern statesmen, he chooses Washington, Jefferson, Randolph of Roanoke, Calhoun, Stephens, Toombs, and Jefferson Davis. One naturally asks, why has there been an omission of Marshall, Madison, Monroe, Crawford, Clay, and others; but Professor Trent has anticipated the query and, in his introduction, gives the grounds for his selection. He tells us that: "My opinions are the results of my own studies based chiefly upon Southern materials," and these opinions have a frankness and, often, an originality, which are delightful.

We have too few Southern historians. Here is one, "who cannot recollect ever seeing a slave and who has never believed in the doctrine of states rights *per se*." These are truly the marks of one belonging to a new generation and it is most encouraging to find that a Southerner does not hesitate to admit that the South's position on slavery and disunion was morally and radically wrong. With equal firmness, Professor Trent insists on the honesty of the South. Even Jefferson Davis, whom the North has so hated, may not be considered dishonest, though he was fanatical. The lecture on Calhoun is the most satisfactory chapter in the book. Trent sums up the whole question which presented itself to the men of Calhoun's day in one pregnant sentence: "There was no question as to the legal fact that slavery was acknowledged by the constitution, there should have been no question as to the moral fact that slavery was not acknowledged as legitimate by the conscience of the recently awakened world."

The following sentences are also admirable in their clear apprehension of the position of the two sides to the great controversy: "But the North, recognizing the constitutional obligation to protect slavery, was conscious also of the moral obligation to suppress it, and halting between opinions, proclaimed the doctrine of a 'higher law.' The Southerner was in no such dilemma; he knew that slavery was legal, he could not see that it was immoral; hence he

became righteously indignant at what he was bound to regard as Northern aggression and infractions of the constitution."

The description of the position of the planter class is well done and shows a sympathetic appreciation of their view of political questions. We have left ourselves little space to speak of the first three lectures. That on Washington is extremely eulogistic, that on Jefferson discriminating, that on Randolph most entertaining. Trent's choice of epithets for his protagonists is most happy. So are his comparisons of Washington in politics to Sophocles in literature and of Jefferson to Shelley. Sometimes, however, he makes comparisons which are rather fantastic than just, as when he speaks of Randolph as a compound of Ithuriel and Caliban. Indeed, an excessive desire to be vivid and striking seems the chief defect in the style of the lectures. Impartiality seems characteristic of Trent's view of every man but Alexander Hamilton. For some reason, he is unjust to him. The following sentence is so malignant and untrue as to be ridiculous: "He was selfish and cold, even when the man who had made him what he was lay dead at Mt. Vernon." Even Jefferson knew the chief author of the *Federalist* too well to speak of him in his bitterest moods, as "made" by Washington. The portraits of the men, who are the subjects of the lectures, add much to the value and attractiveness of the book.

The only serious misprint I have found is that John Taylor of Caroline County, Virginia, is always referred to as John Taylor of Carolina. Did the proof-reader refer to Johnson's "Cyclopædia," which, singularly, seems to have omitted the former man?

BERNARD C. STEINER.

Johns Hopkins University.

An Examination of the Nature of the State. A Study in Political Philosophy. By WESTEL WOODBURY WILLOUGHBY, Ph. D. Pp. 448. Price, \$3.00. New York: The Macmillan Co., 1896.

It is a matter of primary importance to the advance of scientific thought that the views of conflicting schools be clearly and definitely presented. The endeavor to reconcile essentially conflicting views, has often been more of a barrier than an aid to progress. The work of Professor Willoughby may be regarded as a treatise on political science from the juristic standpoint. Although he is continually making reference to the psychic factors underlying political association, yet his conclusions are scarcely influenced by such factors. In fact, the general tenor of the work is more in harmony with Austin than any of the recent treatises on political science; and this, in spite of the fact that the author disagrees with Austin.

on many important questions. The intellectual kinship is most strikingly shown in the method of reasoning. While endeavoring to give due weight to the principles of the historical school, the author's method is essentially analytical. His attitude toward the subject is best illustrated in the discussion of the factors of which political science must take account. Only those relations, whether individual or groupal, which are definitely formulated in law; only those activities which find expression through some legally organized channel, deserve to be recognized by political science as such. We have here a question of method which will probably give rise to much discussion. The statement that "as publicists or jurists we need not look back of the persons or bodies who have the legal power of expressing the will of the state," is one which may mean much or little, according to the influence the acceptance of such a view will exercise on our treatment of political phenomena. It may be an excellent principle when we are describing the operation of political institutions at any one period, without reference to the ideas upon which they rest or the functions which they have to perform. But we must recognize the fact that such a discussion gives us but one view of the phenomena; a view which is by no means the most important nor the most fruitful. Unless the limitations of this method are distinctly perceived, there is a constant danger of a confusion of thought resulting from a confusion in the use of terms. This is particularly true in the study of political development. The method adopted by Professor Willoughby does not lend itself to this branch of the science. Here we can advance only through a careful analysis of the relation between ideas, institutions, and the conditions of the objective and subjective environment. The very fact that the concepts of one period which have crystallized into a definite terminology, acquire a different content at a later period of development, ought to be conclusive on this point. An instance of the confusion to which a neglect of this elementary fact leads, is found in Chapter III, on the "Origin of the State." In endeavoring to draw a distinction between the family and the state, the author says:* "The two institutions are different in essence. In the family the location of authority is natural *i. e.* in the father. In the state it is one of choice. Subordination is the principle of the family; equality that of the state." Surely, the author has some particular period here in mind. His acquaintance with Maine, whom he often cites, is sufficient guarantee that he is aware that in primitive societies no such distinctions can be drawn, and that the term "family" itself means to-day an entirely different

* Page 20.

social grouping from that of the Roman family. Is the whole work intended to apply exclusively to the fully developed modern state, based upon the active national political consciousness? But, we read on page 27 that "we cannot refuse the designation of state to a society of men, if politically organized, even though it be in the nomadic stage. Low order of development cannot deprive an institution of its generic name." We have here convincing proof that the moment we get beyond the most general concepts, every political philosophy must be based upon the political and economic conditions peculiar to each stage of development; that our notion of law, of government, of sovereignty, of the nature of the state itself, must proceed from the analysis of existing political conditions. If the question of scope and method is to determine the nature of the conclusions of political science, or, if it is to set the limits to the phenomena of which the science will take cognizance, its satisfactory solution becomes a question vital to the future of the science. Through an unduly narrow view of the scope of the science, the value of several chapters of the work has been seriously impaired. This is particularly true of Chapters IX and XI on the "Power of the State: Sovereignty," and the "Location of Sovereignty in the Body Politic."

Throughout his book the author displays a thorough grasp of the literature of the subject. In his discussion and criticism of the social contract theory, we have probably the best statement of the defects of the theory viewed as an historical interpretation of the origin of the state. The chapter on the "Aims of the State" gives an excellent summary of the conditions which justify governmental interference. We are here far beyond the narrow and carping criticism of Spencer's "Man *vs.* The State." The question is viewed from the broad basis of social structure.

L. S. ROWE.

NOTES ON MUNICIPAL GOVERNMENT.

AMERICAN CITIES.

National Municipal League.—The Annual Conference of the National Municipal League was held in Louisville, Ky., on the fifth, sixth and seventh of May. Representatives from all sections of the country were present, the West and South sending unusually large delegations. The secretary, Clinton Rogers Woodruff, Esq., in his annual address, pointed out in detail the advance of the movement for municipal reform, mentioning especially charter reform, municipal ownership of semi-public monopolies, and civil service reform. The reports on the municipal conditions of individual cities, which has been one of the features of the conference, included reports on Providence, R. I.; New Haven, Conn.; Rochester, N. Y.; New Orleans, La.; St. Louis, Mo.; Kansas City, Mo.; Charleston, S. C.; San Francisco, Cal., and Philadelphia. The more general papers were those of Professor Frank J. Goodnow, on "The Powers of a Municipal Corporation;" Horace C. Deming, Esq., of New York, on "The Legislature in City and State," and Professor L. S. Rowe on "American Political Ideas and Institutions in their Relation to the Conditions of City Life." Several interesting addresses were delivered, that of William B. Hornblower, Esq., being particularly notable. The papers dealing with particular phases of the municipal problem were as follows; "The Business Man in Municipal Politics," by the Hon. Franklin MacVeagh, of Chicago; "The Wage-Earner in Politics," by George Clance, of Philadelphia; "Commercial Organizations and Municipal Reform," by Ryersen Ritchie, of Cleveland, and "The Exclusion of Partisan Politics from Municipal Affairs," by Frank L. Loomis, of Buffalo.

New York City.—*Greater New York Charter.** On April 19th a delegation of about sixty citizens of New York attended a hearing before the governor in Albany, upon the charter. This delegation, the strongest that has visited Albany from this city in a number of years, represented ten or twelve bodies of citizens, such as the Board of Trade and Transportation, the Chamber of Commerce, the Bar Association, and the City Club, which had steadily opposed the charter at every step. Judge Dillon, Mr. DeWitt, and General Tracy, representing the commission which framed the charter, urged Governor Black to give it his approval. Upon the fourth of May it was announced that the governor

* Communication of James W. Pryor, Esq.

had signed the charter. It therefore became law, and will go into operation on the first of January, 1898.

The Citizens' Union. The enactment of the Greater New York charter has made it necessary for the Citizens' Union to extend its plan of campaign so that it shall include Brooklyn and the other political divisions included in the new city.

The officers to be elected on a general municipal ticket, by the voters of the greater city, are a mayor, a comptroller, and a president of the council. They will serve for four years from January 1. Twenty-eight members of the council are to be elected for four years. Of these, three are to be elected from each of the three council districts into which the present city of New York is divided; three from each of the three council districts into which the present city of Brooklyn is divided; one from each of the two districts into which the part of Queens County included in the Greater New York is divided; and one from Richmond County. Aldermen are to be elected for two years from January 1, one from each of the assembly districts of the city, except that the part of Queens County included within the city is divided by the charter into two aldermanic districts, and that a separate aldermanic district is made of the parts of the first and the second assembly district of Westchester County included in the city. The voters of New York County will elect a district attorney, a sheriff, a county clerk, and a register of deeds, for terms of two years. These four county officers are also to be elected in Kings County. An assemblyman will be elected from each assembly district; two judges of the supreme court will be elected from the first judicial department, which consists of New York County; and a judge of the court of appeals will be elected by the voters throughout the state.

The political machines have given to the Union an amount of attention which indicates that it is causing them no little anxiety. It is generally believed that the Union will adhere to its declared purpose of making nominations early in the summer—a proceeding which could not fail to be disconcerting to the machines, and particularly to any machine which might entertain the idea that the Union could be so far diverted from its purposes as to lend itself to an open alliance with some of the very forces to which it professes the greatest hostility.

Philadelphia.—*Report of the Senate Investigating Committee.* The Senate Committee appointed to investigate the workings of the municipal government of the city of Philadelphia under the Bullitt Bill charter, has presented its report which contains the views of the committee as to the defects in the present form of government. After discussing the conditions which led to the adoption of the charter in

1885, the committee enters upon a detailed criticism of the individual departments. The report points out the fact that the new charter has not been conducive to economy. In 1887, immediately after the adoption of the charter, the total cost of city departments was \$13,273,893.10; the total assessed valuation \$628,679,312.00. In 1895 the total cost of departments was \$23,491,865.21; the assessed valuation \$782,677,694.00. The committee here fails to consider the higher standards of municipal activity which have characterized the development of the city during the last ten years. This is particularly noticeable in the demands for increased water facilities, the re-paving of streets, and the extension of the system of drainage. The mere increase in total expenditures is no criterion of economy in administration.

The other criticisms in the report seem to have a far more definite basis. This is particularly true of the comment on the contract system, the gas works, the police force, and the civil service system. As regards the first, the report points to the fact that the requirements of the law in respect to the awarding, entering into, and supervising of contracts, are not fully complied with. "The protection of the city," says the committee, "lies not in the law and its ordinances, whereon it is intended to and should rest, but depends upon the discretion of the executive officer." The garbage contracts are cited to show the existence of collusion or sympathy between the officials of the city and the contractors. For the year 1897 the bids for this work were made by two establishments, "dividing the city between themselves, each bidding an excessive price for the territory that was adjacent to the other, and thus securing the territory adjacent to itself as being the lowest bidder." With each year the amount of the bids has been increasing. A similar plan has been adopted by the electric light companies, which divide the territory of the city amongst themselves, each bidding within its own territory. The result is that the average rate for the city of Philadelphia for 1895 was \$150.25 per arc-light per year, whereas most of the smaller cities of the state are supplied by private companies at a rate varying from \$75 to \$100.

As regards the gas works, the report comments upon the fact that the mayor, in his last annual message, estimated the value of the works at \$30,000,000. Evidence produced before the committee shows that the plant itself might be duplicated for half that sum; the remaining \$15,000,000 representing the value of the franchise. The report strongly urges upon the city the necessity of fully availing itself of the valuable property through the investment of a large sum to renew the present antiquated plant. In fact the committee intimates that the best plan would be to dispose of the franchise to a private company.

The most serious charges contained in the report are those brought against the police administration. The evidence of direct interference of the police force in local elections is conclusive. Furthermore, the toleration of gambling and bawdy houses and unlicensed liquor-saloons points to an understanding between the guilty parties and the police officials. The last question to be taken up by the committee is that of the civil service provisions governing the appointment of officials:— "The principal, and even of itself fatal, defect in the act is that it confides to the mayor and heads of departments, who are themselves the appointing power, the making of the rules and regulations by which they are supposed to limit themselves in the exercise of it, and the result has naturally followed that these rules and regulations have been so framed, either originally or by alterations since made, as to place in the officers making the appointment a power hardly less broad than before the passage of the act." The lack of an efficient civil service system has led to the perpetuation of the system of political assessments which are regularly made by city officials prior to the February and November elections.

In concluding, the committee emphasizes the necessity of strict economy owing to the comparatively low property valuation of the city and the inability of the population to carry a heavy burden of taxation. The report fails to offer any very definite remedies for existing evils. Most of the abuses mentioned were well known to those interested in local affairs, but their definite statement by a legislative committee will contribute something to a more general appreciation of the necessity of providing immediate remedy.

Boston.—*Creation of a Unicameral Local Legislature.* After several years of agitation by various civic organizations, in which the local Municipal League has played the most important part, an act has finally been passed consolidating the board of aldermen and the common council of the city of Boston into one body. The question is to be submitted to the electors of the city at the November election and if accepted will take effect at the local election in December. Under the new system, a single instead of a bicameral legislature will constitute the legislative authority of the city. The act making the change prescribes the method of nomination as well as the method of election of the new representative assembly. In the first place, the president of the council is to be elected by the registered voters of the city for a term of one year; twelve aldermen-at-large for a term of two years, and twenty-five ward aldermen elected on the district system for a term of one year. The president of the council is to appoint the chairman and other members of committees; is a member of every committee and chairman of every committee authorized to recommend

appropriations or to prepare rules, and is to serve as acting mayor whenever the incumbent of that office becomes incapacitated. He is to receive a salary of \$5000 per annum. All of the other members of the city council are to receive \$1200 per annum, and such further sum, not exceeding \$25 in any one month, as shall be certified to have been incurred as expenses in the performance of official duties.

Nominations for president of the city council, for aldermen-at-large and ward aldermen may be made by any political party by direct plurality vote at party caucuses, held in the several wards of the city. In order to have nominations for president of the city council or for aldermen-at-large placed on the official caucus ballot, nomination papers must be filed with the board of election commissioners, bearing the signature of at least one registered voter for every 200 votes cast for mayor at the next preceding election. In case of nomination for ward aldermen, similar papers bearing the signatures of at least fifty registered voters in the ward must be filed with the same authority. In cases of nomination by nomination papers, where the name of the candidate is to be placed on the official election ballot, the signature of at least one registered voter for every 100 votes cast at the next preceding election of a mayor, is necessary for the office of president of the city council or aldermen-at-large. For ward aldermen the signatures of one hundred registered voters of the ward are required.

San Francisco.*—*Legislation Affecting the City.* Among the general laws affecting San Francisco enacted by the state legislature at its recent session is one increasing the salaries of officers of the fire department in municipalities of the first-class, fixing the salaries of the chief engineer at \$5000 per annum, assistant chief engineer at \$3600 per annum, secretary or clerk at \$3000 per annum, assistant engineers at \$2100 each per annum.

Attention has been called in these Notes † to an amendment to the constitution of California, adopted by the voters of the state at the November election, limiting the power of the legislature to control the government of cities by general laws, by injecting the proviso, "except as to municipal affairs." Since the law above quoted took effect, and when the monthly quota of the said salaries were coming payable, an action at law was brought by a citizen to enjoin the auditor from approving, and the treasurer from paying, the increased salaries provided for in the act, and thereby to test the force of the constitutional amendment aforesaid. The superior court (the supreme court has not yet been heard from) holds that the only effect of the amendment has been to prevent the legislature from passing any law

*Communication of I. T. Milliken, Esq.

† ANNALS, Vol. ix, p. 297. March, 1897.

which shall, in municipal affairs, alter, amend or repeal any provision of a charter which has been framed by a city for its own government under Section 8 of Article XI of the Constitution, and that the legislature has, since the adoption of the amendment to Section 6 of said article, the same power, by means of general laws, to control cities which have not framed and adopted charters as it had before.

The amendment, which was adopted by the voters of the whole state, having been specially framed to supplement the charter which it was expected the voters of this city would approve at the same election, but which they failed to do—it will be seen that, according to this ruling, the only way in which the people of San Francisco can be sure of securing the benefits of this amendment is to agree upon a system of self-control, *i. e.*, a charter.

The legislature took another step in the direction of aiding self-government for the city by adopting a resolution covering a constitutional amendment to be voted upon at the next general election, adding a new section, to be known as Section 5½, as follows: "The provisions of Sections four and five of this article shall not, nor shall any legislation passed pursuant thereto, apply to any consolidated city and county government now existing, or hereafter formed, which shall have become, or shall become, organized under Section seven, or secure a charter under Section eight of this article." San Francisco being the only consolidated city and county government in the state, the applicability of the proposed amendment will be clearly understood. Section 4, the provisions of which the amendment is proposed to limit, provides for the establishment by the legislature of a system of county governments. The bearing of this proposed change upon the municipal affairs of San Francisco is most easily made apparent by reference to the dual condition of the consolidated city and county government of San Francisco. Section 5, while it is also proposed to limit, provides for general laws by the legislature, for the election or appointment of county and municipal officers, prescribing their duties and fixing their terms of office.

Prior to 1893 the mayors of this city had exercised without challenge the power of veto of all ordinances of the board of supervisors. In repeated instances the orders of the board fixing rates to be charged to the city and to private consumers by the water company have been treated in that manner by the mayors. When the same thing occurred four years ago, the point was raised that as the law makes it the duty of the supervisors to fix the rates, and as the mayor is but a member of the board, and without a vote in the board, his duties and powers in that matter were executive only to the extent of presiding officer, which contention was sustained by the supreme court.

Washington.*—*Street Extension Throughout the District.* The Highway Act, so called, has been declared constitutional by the United States Supreme Court. This is a matter of great benefit to the district. The Act provides for the condemnation of rights of way for the extension of streets and avenues throughout the district, which extension is to conform as nearly as possible to the system in the city. The Act was passed March, 1893, and soon after its constitutionality was attacked. Certain of its provisions were stricken out by the Court of Appeals, to which it was carried from the District Supreme Court. An appeal was then made to the United States Supreme Court, which has reversed the judgments of both of the district courts, and has decided that there is nothing inconsistent with the constitution. Among other things the decision includes the right of assessment for benefits.

Slums.—This year there has been much interest taken in the matter of the clearing of the slums of the city. These slums consist of blind alleys, mainly in the districts inhabited by the negro population. The Civic Centre conducted an investigation, employing a special agent, and followed the investigation of these alleys with a report recommending the cutting through and widening, when necessary, of the blind alleys, thereby converting them into streets. They furthermore recommended the investment of capital in the building of small dwellings. These recommendations were concurred in by a committee appointed by the district commissioners. A sanitary improvement company is now organized, similar to the New York City and Suburban Homes Company, for the building of small houses of good quality on a 5 per cent interest-bearing basis. The matter of pushing the cutting through of the blind alleys is made much easier by the decision on the highway act, which settles the question of assessment for benefits in the converting of the alleys into streets. There has just been taken a police census, and for the first time the population by alleys has been given. The total alley population is 18,978—2100 white and 16,878 colored, the latter being about one-fifth of the negro population. The slum population is surprisingly large as compared with the slum districts of other cities, a census of which was taken in 1893. The latter gave to Baltimore, 18,048; Chicago, 19,748; New York, 27,462, and Philadelphia, 17,060. A recent act of Congress requiring all houses to make sewer connections, provided there is a sewer adjacent, is of importance in this connection. And now the commissioners have drafted a bill creating a commission for the condemnation of unsanitary dwellings in the district. At present there is no special law on the subject. During the past year new building

* Communication of Miss Katharine P. Hosmer, Corresponding Secretary of the Civic Centre, Washington, D. C.

regulations have been made, which were prepared by a commission appointed by the district commissioners. Among other things it limits the width of building lots to not less than sixteen feet, and requires a certain amount of air space in each block.

Sewers and Sewage Systems. A matter of grave importance to the district is the continuation of the system of trunk sewers, and the disposal of sewage. At present the flats along the tributary to the Potomac River, the "Eastern Branch," are the cause of much sickness in the adjacent section of the city, and will continue to be so until the system of sewage disposal and protection against floods is provided. A bill was introduced in the last congress following the recommendation of the board of sanitary engineers in its report upon these subjects in 1890. The bill provided for the further development of the system of trunk sewers and for the sewage disposal and protection against floods. District bonds to the sum of \$150,000 and \$3,800,000 were to be issued for the first and second purposes respectively. This bill will probably be reintroduced in the fall. At present appropriations out of the district revenues are made yearly for the continuation of the sewer system, but in this way the work progresses slowly. Only \$375,000 has been appropriated for the sewage disposal plan for which the estimate in 1890 was \$3,598,000.

District Ownership of Great Falls of the Potomac. A bill has been reintroduced this congress for the acquiring by purchase or condemnation land and water rights at the Great Falls of the Potomac for the purpose of increasing the water supply of the city. It is contemplated in the bill that the water power may be used for the generating of electricity for use in the district as well as for other purposes.

Labor on Public Works. A bill has been introduced for street cleaning by the municipality. The chances of its passage are excellent. The contract for street cleaning is about to expire, and new bids have been sent in. But it is practically settled that the contract when let will be for a short term in view of the passage of the above bill. It is almost certain that the contract will be for hand labor instead of machine. The commissioners have received petitions in favor of hand labor from a large number of business men, and from the labor organizations, and the commissioners have been investigating the system of street cleaning in New York.

A bill was introduced in the last congress which failed of passage abolishing contract work on public buildings and public work, by or on behalf of the district, and providing for the employment of labor by the day. It is thought that the adoption of a public street-cleaning service will be helpful in forwarding the abolishment of other contract work.

Cincinnati.*—Cincinnati has recently witnessed one of those popular upheavals with which the history of American municipalities abounds. On April 5 last, a Republican majority of 20,000 was turned into a Democratic one of 7500. This of course was done with the aid of independent Republicans. The history of this reform movement is interesting and instructive. During the past decade the municipal and county governments have been controlled by a "boss." Relying upon the strength of national issues to hold the party to strict loyalty, henchmen of the boss were placed in every office in the City Hall and Court House. Not only were the candidates for administrative offices named by the leader, but during the last fall the whole judicial ticket was forced upon the community in the face of the protest of the bar. This spring it was believed that the same plan could be successfully carried through. A party convention was held, and within thirty minutes a ticket nominated. But the more independent Republicans and Democrats had been at work for months, and all agreed that the time was opportune to overthrow the "ring." Three years ago a similar movement was set on foot, but at that time the "boss" persuaded the regular Democratic organization to nominate a ticket. The decoy served its purpose, and the present city government was elected. This year, however, the leading Democrats agreed to allow the independent Republicans to name the candidates for three offices, viz., auditor, treasurer, and corporation counsel. There were therefore but two tickets in the field. A vigorous campaign was inaugurated immediately; it was not the stereotyped campaign of old, for there were few meetings. A tri-weekly paper, called the *Taxpayer*, was issued, and pamphlets setting forth the unjust and unequal taxation in this city, and exposing the sudden wealth of the boss and his assistants.

The interference of the "boss" with the judiciary, the mockery of holding conventions merely to ratify tickets named by him, the utter defiance of the wishes of the people culminated at last in one grand wave of indignation, which finally overwhelmed the Republican machine. However, the far-sightedness of the machine has lessened somewhat the importance of the victory. Last year the legislature enacted a law extending the terms of the present city officials until July. This gave the present mayor the opportunity to reappoint certain officials against whom many insinuations had been made. These reappointments were made, and inasmuch as the supreme court has sustained the validity of the law, nothing further can be done. In order to embarrass the incoming mayor, the board of legislation, which is politically opposed to him, has passed an ordinance

* Communication of Max B. May, Esq.

taking from him the power of making several important appointments.

During the spirited campaign the leaders of the Republicans challenged the public to point out wherein their administration of affairs had been a failure. The day before the election the health officer was accused of blackmailing an eastern medicine company and has since been indicted. A few weeks after the election the county clerk, the boss's chief lieutenant and former chairman of the Republican Campaign Committee, was found \$20,000 short in his accounts. Subsequent investigations disclosed a large shortage in the recorder's office. He has since been indicted for embezzlement, malfeasance in office and forgery, and has been released on bond signed by the "boss" as surety. Early in May the accounts of two trusted employes in the water works department were found to be in arrears.

These disclosures have compelled the Board of Revision to order an investigation of all municipal departments, and an expert to this end has been employed. This malfeasance in office was possible only because there is no proper system of auditing the accounts of the several offices, and steps have already been taken to perfect a system of checks to avoid similar shortages in the future.

Providence.*—Municipal Affairs. The second year of the existence of the Providence Municipal League has shown that it is possible to arouse an intelligent community to an interest in public affairs. Evidence of a feeling that municipal affairs should be independent of national politics is becoming more and more manifest. While the city was strongly Republican in its national vote in November, on the same day it gave the Democratic candidate for mayor a decided majority. Several wards have for two years disregarded party lines and sent men to the city council on city issues only.

The influence of the state legislature in city affairs has been very marked. Salaries of officials paid by the city have been increased, the date of municipal elections has been changed to coincide with the national election, powers of city officials have been increased and decreased at the will of the legislature, and all in spite of frequent protests from the mayor, city solicitor, Board of Trade and others.

The issue of the last municipal election was the representation of the city in the legislature. Home rule for the city was the demand of the Municipal League, and it named candidates for senator and representatives upon that platform. The Democratic party named a large number of the same candidates, though some of these were of the national Republican party. The Republican party named one of

* Communication of Professor George G. Wilson, Providence, R. I.

the Municipal League candidates, but made its ticket largely from those who last year represented the city in the state legislature.

The result of the election was a surprise to many. The Republican candidates for governor and general officers of the state were elected by large pluralities. Of the twelve representatives of the city in the state legislature the Republicans elected three by pluralities of 400 to 575. The remaining nine representatives and the senator were elected from the Municipal League candidates by pluralities of from 1400 to 3400. The Municipal League candidate for senator was elected by a plurality of above 2700. Thus ten of the thirteen representatives from the city in the next state legislature are elected on the platform of home rule for the city. Whether this expression of the desire of the city to manage its own affairs will influence the policy of the state legislature beyond the votes of the city representatives remains to be seen.

FOREIGN CITIES.

Hornsey.—*Municipal Dwellings.* The progress of the movement for sanitary dwellings for the laboring classes is well illustrated by the recent activity of some of the smaller towns. The theory upon which such dwellings were constructed at an earlier period was, that the present slum districts should be replaced by more sanitary habitations. In other words, the primary object in view was to remove the distinctive slum dwellings. In most cases the municipality restricted itself to the construction of tenements upon the area cleared. Within recent years, however, there is a distinct tendency to construct laborers' dwellings in the suburban districts of the cities. In Glasgow we find the municipality purchasing property in the outlying districts, with a view to providing sanitary, low priced accommodations.

The most recent experiment in this direction is that which is being made by the district council of Hornsey, one of the constituent districts of metropolitan London. A series of individual dwellings is to be erected at a total cost of about \$150,000. Two classes of cottages are to be provided; one containing a sitting-room, living room, kitchen, larder, and three bed rooms, to rent at \$7.50 per month; the other to contain the same number, with the exception of two instead of three bed rooms, designed to rent at \$6.50 per month.

Huddersfield.—*Development of the Municipal Street Railway System.* A recent report of the manager of the Huddersfield Street Railway System describes the development of the municipal street railway system from the beginning of the experiment. Huddersfield was the first of the English cities to undertake the construction and operation of the street railway system. During the first years, the

municipal authorities had to contend with many difficulties. In the first place, Parliament was unwilling to give unrestricted powers and placed so many conditions on the powers granted that the extension of the system became almost impossible. During the early 90's the success of the experiment having been assured, Parliament became more liberal in dealing with the municipality. The additional powers then granted have greatly aided the city in the extension of the system and the further utilization of the lines previously constructed. The results for the year ending March 31, 1897, may be summarized as follows:

Miles run	423,564
Traffic receipts	\$142,256
Other receipts	435

An additional source of income, which has been increasing with each year, has been the establishment of a system of parcel delivery, inaugurated by the city authorities. During the year the receipts from this source were nearly \$2500. The total expenditures were \$93,970, leaving a surplus of \$51,221. Since August, 1896, the municipality has been using the street railway lines for the removal of refuse, the trucks being run on the roads at stated intervals.

Gas Works in English Cities.—Recent reports of the gas departments of English cities give some interesting data concerning the development of the municipal gas and electric light plants. Nearly all the larger cities, with the exception of London and Sheffield, own and operate the gas works, while Glasgow, Bradford, and Manchester own and operate the electric light plants. With regard to the management of the gas works, the general policy has been to so decrease the price as to bring the use of gas within the reach of the working classes. Up to the present time, some of the cheaper class of tenement-houses have not been supplied with gas fixtures; or, when supplied, have not been used by the occupants. The municipalities are endeavoring to make the use of gas a permanent element in the standard of life of the working classes. This, in many cases, has been done at the sacrifice of purely financial ends. Not only has the price been reduced, but other inducements have been offered. Thus, penny-in-the-slot gas meters have been introduced, furnishing light for one gas jet for about five hours. Of these, Manchester has 11,500 in use at the present time. Efforts are also being made to facilitate the use of gas for motor purposes; special rates being offered when used in this way. The same policy has been pursued with reference to electricity. While at the present time the cost of electricity to the consumer is greater than that of gas, one of the possibilities of the near future is the supplanting of gas and coal for motor purposes by electricity.

This is due to the fact that if the electric light works are able to dispose of a large quantity of electrical power during the day, as for instance, in running an electric railway system, the cost of furnishing electric light at night would be greatly reduced. One of the main expenses at the present time comes from the necessity of storing great quantities of electricity during the day in order to have sufficient on hand for lighting purposes during the night. The following table will show the present condition of the gas service in the larger cities:

Gas Service in English Cities. (To March 31, 1896.)

	Gas consumed during last fiscal year. Cubic feet.	Price per 1000.	Number of new consumers.	Use of gas for motor purposes. Cubic feet.	Number of gas motors in use.	Price per 1000 cubic feet.
Manchester	3,646,010,000	\$0 56	12,570	32,000,000	1,120	\$0 56
Bradford	1,668,287,000	*56	700	432	56
Glasgow	4,259,169,000	58	5,054	160,578,000	1,183	58
Leeds	2,391,303,500	54	1,497	650	54
Birmingham	4,334,721,000	†64	1,500	.. .

* With discounts varying from 2½ per cent to 12½ per cent.

† Price decreases with amount consumed; 60 cents for from 25,000 to 50,000 cubic feet, and 56 cents for more than 50,000 cubic feet. All subject to 5 per cent for prompt payment.

SOCIOLOGICAL NOTES.

Profit-Sharing in England.—In the United States Consular Reports for May, 1897,* Mr. C. W. Chancellor, Consul at Havre, gives an account of the profit-sharing experiment tried by the South Metropolitan Gas Company of London. Some of the information contained in a letter from Mr. George Livesey to Mr. Chancellor may prove interesting to students of these experiments. This particular experiment has been tried for a period of eight years. As a member of the recent English Labor Commission Mr. Livesey has had ample opportunity to become familiar with the history of the conflicts between capital and labor. He says: "My experience on the labor commission and also that of my lifelong connection with workingmen in my business, convinces me that the only solution lies in the direction of partnership in profits, in shareholding, in responsibility, and in management—the more complete the better. Conciliation and arbitration are good so far as they go, but they are at best only palliatives. What is wanted is something that will remove the causes or the necessity for either the one or the other."

The South Metropolitan Gas Company operates under the system known as the sliding scale, by which a certain standard price per 1000 cubic feet is fixed by law for gas; the dividend which the company can pay on its stock is limited by law, the standard price being such as will enable the company under good management to pay the standard dividend. Then for every penny per 1000 feet that gas is sold below the standard price, the company is allowed to pay 0.25 per cent higher dividend than the standard dividend fixed by law. *Vice versa* for every penny rise in the price of gas the dividend which the company is allowed to pay is reduced by 0.25 per cent. The company in 1889 extended this sliding scale arrangement to its employes by providing for the payment of a cash bonus which is a percentage payable pro rata annually and dependent on the price of gas and on the salaries and wages of all officers and workmen. Only those workmen who enter into a written contract of service for a limited period not exceeding twelve months are entitled to this bonus, and the company reserves the right to refuse to make contracts with men who take no interest in the welfare of the company, or who are wasteful of the company's property or negligent in the performance

* Vol. liv, No. 200.

of duty. The bonus percentages during seven years have been 5, 5, 3, 4, 6, 6, and 7½ respectively, and the total amount paid or credited to the profit sharers in the seven years has been \$410,000. The directors of the company agreed to receive these payments or any part of them or any other savings of their employes on deposit, subject to withdrawal on a week's notice, and bearing 4 per cent interest. About half the number of profit sharers, representing more than half of the total payments, made use of this opportunity week by week and some invested their savings in the stock of the company. In 1894 a change was made which was agreed to by the men, that henceforth one half of each man's total bonus should be invested in the company's ordinary stock, the other half being payable in cash as before. All the officers and workmen in the regular employ of the company at the present time are therefore shareholders. Those who began in 1889 have now an average investment of \$250 to \$300, while those who began in 1894 under the new arrangement have on the average from twenty-five to fifty dollars invested in the stock of the company.

Mr. Livesey sums up his account of the experiment as follows: "Roughly dividing the above total of \$410,000, about \$230,000 has been saved and \$180,000 withdrawn and spent, part, without doubt, wisely and well, the remainder by the unthrifty, with little present and probably no permanent good; but the weekly and other savings of the thrifty, plus the accumulations of interest, bring up the total in hand to over \$355,000, *i. e.*, \$230,500 has been invested in the purchase of \$202,500 of the company's ordinary stock and \$128,000 is on deposit with the company at 4 per cent interest. The number of profit-sharing stockholders is over 2500, and the market value of the \$202,500 of the stock held by them is over \$295,000; consequently, with the money on deposit, they are the owners of \$425,000, and before the present year is out there is little doubt the figure will be \$500,000. This sum of money would certainly not have been in its present hands but for the profit-sharing scheme of 1889. It is safe to say that a large portion of it has been created by the better relations the system has produced between employers and employed; it may therefore be considered a financial success, at any rate so far as the employed are concerned. During the whole period there has not been a single difficulty or any disagreement with the workmen. The work has been done better and in a more cheerful spirit, and it can safely be said that the company is better off financially for the \$410,000 paid."

In the consular report referred to above, Mr. Chancellor appends a copy of the rules of the company relating to this profit-sharing arrangement, and also gives a copy of the form of contract between

the company and its employes. The consular report can be had gratis on application to Disbursing Clerk, State Department, Washington, D. C.

Wayfarers' Lodge and Wood-Yard in Boston.—The thirty-third annual report of the Board of Overseers of the Poor of the city of Boston shows that there was a decrease in the number of lodgers at the municipal lodging house during the fiscal year ending January 31, 1897. The number of lodgers in 1895 was 24,408, and in 1896 only 21,240. The falling off is especially noticeable in the months of November, December and January. In November and December of 1895 and January, 1896, the figures are 4019, 4522, and 5374 respectively, and for the same months one year later, 2087, 2138, and 1938 respectively. This falling off may be partly due to improved industrial conditions, but the bulk of it is more apt to be rightly attributed to a change somewhere in the restrictions placed upon the movement of tramps. The tramp, as a rule, is not bothered much by the changes in economic conditions, but is a rather sensitive barometer of police efficiency. The station houses of Boston have been less hospitable during the past two years owing to an agreement between the Police Department and the Overseers of the Poor. The number of tramps cared for in the Wayfarers' Lodge since 1892 for each year has been 32,803, 33,416, 32,815, 24,408, and 21,240 respectively, and those cared for in the police stations for the same years were, 3150, 5320, 15,502, 657, 336.

Tramps in Massachusetts.—In Chapter 385, of the Acts of the Massachusetts Legislature of 1896, there is "An Act Relative to Tramps" which gives a legal definition of the species as found in that state in the following language: "Section 1. Any person, not being a minor under seventeen years of age, a blind person, or a person asking charity within his own city or town, who roves about from place to place begging, or living without labor or visible support, shall be deemed a tramp. An act of begging or soliciting alms, whether of money, food, lodging or clothing, by a person having no residence in the town within which such act is committed, or the riding upon a freight train of any railroad, whether within or without any car or part thereof, without a permit from the proper officers or employes of such railroad or train, shall be *prima facie* evidence that such person is a tramp."

The Institutional Church.—In all our large cities the institutional church has become a well-recognized and permanent feature of religious work. Those who looked upon it at first with considerable distrust now regard it as a necessary and justifiable method of work at least

in certain sections and among certain classes of the population of large cities. A great deal of experience has been gained by the pioneers in their work and original schemes and plans have been much modified as a result. The institutional church has reached a stage in which it begins to record its own history. Ministers, theological students and students of social questions, who have not come into personal contact with the varied social and religious activity of an institutional church in a large city, will find some interesting material for an intelligent appreciation of this work in the pages of the *Open Church*, an illustrated monthly magazine of Applied Christianity.* This little journal began with the January number of this year a new career under new editorial management as an organ of the institutional church movement in the United States. Rev. Dr. E. B. Sanford is the editor with Rev. Drs. Charles L. Thompson, Frank M. North, Sylvanus Stall, Charles A. Dickinson, John P. Peters and Everett D. Burr as associate editors. The April number contains a description of institutional church work in Philadelphia. Dr. J. R. Miller discusses the spirit of the institutional church and Dr. Burr the methods of an open and institutional church. Rev. Leighton Williams has an article on the recent "Federation of Churches and Christian Workers in New York City." Professor W. O. Atwater treats the question of what the churches can do to improve the food and nutrition of the masses.

Pennsylvania Association of Directors of the Poor and Charities.—The Report of the Twenty-second Annual Session held at Pittsburg, October 20–22, 1896, has appeared in print. Mr. W. P. Hunker, who may be addressed in care of the Allegheny Department of Charities, is the secretary of the organization for 1896–97 and Mr. Robert D. McGonnigle, Pittsburg, Pa., is the corresponding secretary. From either of these gentlemen doubtless this valuable report can be obtained. It is a matter of regret that reports of associations of this kind which contain so much practical information from the point of view of the actual administrators of public charity are not more readily accessible and are not much more generally consulted by students of charity problems.

At the sessions covered by this report valuable papers were submitted by Dean Hodges on "Charity Organization;" Mr. Cadwallader Bidle on "Almshouses, their Needs, Management and Discipline;" Dr. Ewing on "The Chronic Insane Hospital at Wernersville;" Mr. H. H. Hart on "Interstate Migration of Paupers and Other Dependents;" Dr. J. W. Walk on "Charity Organization;" Dr. Ida K. Reed on "Effect of Institution Life as Compared with Home Life upon

* Published by Open Church Publishing Co., 150 Fifth avenue, N. Y. Price, 50 cents a year.

American Children;" Mr. John L. Smith on "Outdoor Relief and How to Get the Best Results;" Dr. M. W. Barr on "Feeble-mindedness and Viciousness in Children an Inheritance;" Mr. Louis Tisch on "An Appeal for More Stringent Immigration Laws," and Mr. Detwiler on "Hungarians, Slavs, Italians and their Effect on Poor Houses."

In addition to these papers the report of the proceedings contains two special committee reports of interest; one, on the Passavant Memorial Hospital for Epileptics by Rev. W. A. Passavant, and the other a lengthy report on the "Statistics of the Poor and a Comparison of Expenses with Counties Having Almshouses and Counties Under the Overseer System." In the appendix to the statistical report just referred to, there is an interesting table of the itemized expenditures in 666 overseer districts of the state, aggregating in amount \$325,343.34.

Social Legislation for the Prevention of Feeble-Mindedness.—

Dr. M. W. Barr, who succeeded Dr. Kerlin as director of the large school for feeble-minded children at Elwyn, Pa., is deeply interested in the social aspects of the treatment of such patients. In his able address before the last convention of the Pennsylvania Association of Directors of Poor and Charities he made the following statement: "Reformatories, however well conducted, do not touch the root of the evil. Science points to a three-fold method which society will sooner or later, in self-defence, be forced to accept: the enactment of strict marriage laws, surgical interference and permanent sequestration. Connecticut and New York have each taken steps in the right direction, forbidding, by recent acts of Assembly, the marriage of epileptics. This extended to include all persons of a neurotic tendency, or whose family history shows, within certain prescribed limits, neurotic taint, will be yet more effective. The Spartan customs were inhuman, but they resulted in the production of a hardy race. Are we less inhuman when, failing to recognize and apply a remedy to the diseased criminal, we suffer him to grow up and then hang him for committing the crime we should have prevented? The statement simply put is this: By denying surgical interference, by subordinating true sentiment to false sentimentality, we preserve a neurotic race to reproduce its kind *ad infinitum* instead of allowing it to become extinct. The sentimentalists oppose this, but its converts are increasing daily, and we can only hope that the inheritance of evil may yet be cut short by means of statutory enactment. The way for permanent sequestration is fast becoming prepared through the medium of the training schools now increasing rapidly throughout the country."

Boies in his "Prisoners and Paupers" strongly favored surgical interference in dealing with certain classes and Warner in much

calmer language in the chapter on "Charity in Human Selection" in his work on "American Charities" gives sequestration and custodial care through life, his hearty endorsement and surgical interference a qualified approval. In commenting upon certain cases cited by Dr. Kerlin in an appeal for public sanction of surgical interference made before the Association of Medical Officers of Institutions for the feeble-minded, Warner says "whenever, as in the case cited, it appears that these operations can be performed with benefit to the individual, public opinion will doubtless sanction them even now; and the result of such experimentation may ultimately be to extend their use very widely in the treatment of the diseased and criminal classes. To argue for the introduction of such methods on grounds of social selfishness will not be the best way to hasten their introduction. Pending such experimentation, the sterilizing of the essentially unfit who may be dependents, seems likely to be carried forward by the humaner methods of sequestration, and of custodial care through life. . . . The permanent isolation of the essentially unfit has commended itself to men as different as Ruskin and General Booth, and the wiser administration of charitable and penal institutions which shall make this possible, seems to be the outgrowth of tendencies already existing, and to be a reform for which the public is already in part prepared. . . . The desire to prevent suffering must extend to the desire to prevent the suffering of unborn generations."

This whole subject is an extremely complex and difficult one and it is to be hoped that the results of experimentation will be freely and honestly discussed. No one who has occasion to come into contact with the feeble-minded when they are herded together in large numbers can fail to be deeply impressed with their helpless, hopeless and awful fate. No cost is too great to prevent if possible the entailment of a similar curse on the children of the future. The argument which rests upon the money cost to the community which has to eventually support such offspring constitutes but a small part of the adequate reasons for effectual prevention.

Improved Housing.—*Octavia Hill Association of Philadelphia.* The Philadelphia Association was organized as a result of meetings called by the Civic Club during the winter of 1895-96 and it was incorporated June 25, 1896. The first annual report dated January 1, 1897, stated that it had 59 stockholders representing 268 shares of stock at \$25 per share. The aim of the association is to improve the living conditions in the poorer residence districts of the city. Seeing in insanitary, dilapidated, and overcrowded dwellings influences which lower the moral and the physical health of the city, it aims to enlist the co-operation of well-housed citizens who desire the same advantages

for the less fortunate. Co-operation is solicited on strictly business conditions. The experience of two founders of the association in buying, improving and renting property in an undesirable part of the city supports the belief that a safe business investment and a fair rate of interest can be combined with many socially desirable results in work of this kind. In July last title was taken to five properties near Seventh and South streets, and the report goes on to state that the properties have been profitably managed, and that the earnings would have justified a dividend, but the directors were more anxious that the dividends should be continuous in the future and decided to make no distribution at the end of the first six months of corporate activity. The amount passed to the surplus account was nevertheless greater than necessary for a dividend. The investment of stock realized all that was expected and enabled the association to provide suitable lodging for about ten families, who lived previously in the same neighborhood, but in less wholesome quarters. The policy of the association is indicated by the following statement in the first annual report: "In considering the improvement of property two distinct methods present themselves. One plan is to pull down old buildings and erect large tenements; the increased rental value of the new structures making due return for loss incurred in the purchase of buildings to be destroyed. The second—that now chosen by the Octavia Hill Association—is to refit old properties and small houses, first of all putting in modern plumbing and so far as possible removing all unhealthful surroundings. The experience of the company already shows that these old houses, when renovated, make comfortable homes, and the object lesson given by the improved dwellings, is more apparent when, in size and interior arrangement, they resemble those under more careless management. At present, therefore, in accord with the prevailing spirit of Philadelphia, the association has decided not to build the large tenement, but to improve the separate home. The organizers of the company believe that promptness in the necessary repairs of a house, watchfulness in regard to its sanitary conditions and its good outward appearance, tend to raise the tone of family life, and contribute to individual efficiency, capacity and happiness. The ethical and educational work of the association, however, should extend to all persons in any way connected with it, and must be incomplete without the salutary influence of the rent-collector's frequent visits to the tenants. This regular visiting has a good effect upon the standard of living, ensures regularity in payments, and gives opportunity for that reciprocal kindness which in any social relation—strikingly in that of landlord and tenant—can never be safely ignored. The stockholders are brought into touch

with the tenants through the friendly offices of the rent-collector, while the association's strongest claim upon the confidence of the community lies in the fact that its philanthropic interests are founded on true business principles, its business interests upon the principles of a sound philanthropy."

The association proposes to undertake, in the capacity of agent, the management of other people's property along the lines pursued in connection with its own. It is now prepared to buy properties in any part of the city whenever offered at a figure that will warrant purchase and improvement, and it solicits subscriptions for additional stock, the capital to be used for this purpose. The association is an interesting and natural outgrowth of the kind of improved housing work that is typical of Philadelphia conditions and its results will be eagerly watched.

The State and Its Territory.*—Theoretical political science is at the present time in a critical stage of development. The day is passed when the jurists and statesmen of the type of Robert von Mohl, Bluntschli and Lorenz von Stein took the lead in such discussions. The jurists of the present time are busy with working out positive public and administrative law and what is taught as political science often does not indicate sufficient historical research nor take account of the accurate observation of existing conditions. Ratzel, in his recent book entitled "*Der Staat und sein Boden geographisch betrachtet*," † arraigns political science in harsh but appropriate words for the manner in which the question of the relation between the state and its territory has been studied. Political science, according to Ratzel, declares there is a necessary bond between the state and its territory when it says: the idea of a territory is an essential part of the concept of a state; a state without a territory is unthinkable. But having stated that such a bond exists, political science proceeds to examine and discuss the state as a thing by itself very much as one might treat a skeleton apart from the living animal and all the conditions that determined its growth and development.

Political science has neglected, it is said, the earnest consideration of the living conditions of social life and development, and modern sociology has taken up the problem and endeavored to interpret this development from a broad and general historical point of view. The method followed in sociology, however, has given rise to many misgivings. In the place of modest conclusions drawn from accurate historical data and social observation of the present, there has been altogether too much bold fantastical constructive work which pretends to cover

* Contributed by Professor Dr. Georg von Mayr, Strassburg,

† Leipzig, 1896.

up the lack of such firm basis of real data with overdrawn biological analogies.

In this condition of affairs the help which recent work in scientific geography brings to those who desire to revise the more important parts of political and social science is very timely and welcome. Ratzel's recent book is a valuable contribution of this kind. It is not a complete systematic work dealing with the relation between state and territory in all its manifestations, but rather four distinct but closely related essays or dissertations which go far toward furnishing the basis for a systematic statement of fundamental principles. In the first essay, entitled "*Der Staat als bodenständiger Organismus*," the author remarks that the peculiarities of this organism will not be recognized by the discovery of mere analogies, and then goes on in an independent way to make clear the nature of this organism and the limitations to a justifiable organic point of view. At the outset emphasis is laid on the importance of intellectual and moral factors in the organic structure of the field of the state's activity in contrast to that of animal organization. The state may be regarded as an organism, according to Ratzel, in so far as a particular part of the earth's surface is utilized in such a way that the characteristics of the state are the joint product of those of the people and of the soil. On the other hand, the author says that the higher the development of the state the farther removed from an organism it is because its development is an outgrowth from an organic basis. The second essay discusses "*Naturgebiet und politisches Gebiet*," and treats in detail political development as determined by historical geographical conditions. In the description of the effort of an entire people to become a natural unit, the author introduces valuable discussions of the nature of geographical and political independence considered with careful reference to the manifold differentiations in space and according to wealth and social status. With such differentiation there enters the factor of the rise in the political value of the territory, and this in turn brings about greater individualization.

The third essay deals with "*Die Entwicklung des Zusammenhangs zwischen Staat und Boden*." Ratzel declares that Morgan's contrast of "*societas*" and "*civitas*" is untenable, and maintains that we do not know such a thing as a stateless people (*kein staatlloses Volk*). Of particular interest is Ratzel's discussion of the relation of political activity to the soil and of what he calls territorial politics. He regards the present extended sphere of so-called national politics as a step backward in real social development. The fourth and last essay treats of the "*Einwurzelung des Staates durch die Arbeit des Einzelnen*." The sum of the demands of the state on the soil becomes con-

stantly greater and the individual household economy which makes use of the soil is the basis of the life of the state. In the course of his discussion of these two propositions the author states that it was one of the gravest errors of the older ethnography and political geography to assume that the nomadic stage was a necessary stage of human development through which all societies had at one time passed, and, farther, that common property in the soil or communal property was the original form of property (*Ureigenthum*). In an examination of the cases where one finds to-day common ownership, it will be found that it is combined with all stages of culture (*Kulturstufen*), that it exists to the same limited extent and in the same population groups where other forms of property are found and that it is most seldom found where the conditions give the impression of being the most primitive.

Condition of the Negro in Various Cities.—There has been so much talk, both North and South, about the condition and progress of the American negro that it is quite time that we have some results of accurate observation laid before us as a basis for future discussions. It is both significant and a cause for hopefulness that the Federal Government has at last come to the rescue. The voluminous investigations and the valuable statistical publications of our general government have in the period since the war touched upon nearly every topic under the sun except this great social problem which it might have been supposed the government would be the first to take up. The Department of Labor, however, has now announced its intention of examining into the actual condition of the negro. In the May number of its *Bulletin* it devotes over one hundred pages to the publication of the results of an interesting private investigation conducted under the direction of George G. Bradford, Esq., of Boston, and one of the trustees of Atlanta University. Mr. Bradford was especially interested in the high mortality rate among the negroes in Southern cities, and he outlined a series of schedules to be sent to various graduates of Atlanta University to see whether the real causes could be ascertained. From this beginning the investigation widened in scope until it included inquiries on a number of other points as well. Only a bare summary of the results in the tables of statistics is printed in the *Bulletin*. It is the intention of those who have the matter in hand to make these results the basis of a conference on the subject at Atlanta, and to publish on the part of the university a more comprehensive report dealing also with propositions for reform.

The collection of the data was left entirely to colored men and was a voluntary service under the direction of a committee, appointed by the university, consisting of three graduates, one member of the

faculty and one member of the board of trustees. About fifty graduates of Atlanta, thirty of Fisk and fifteen colored graduates of Berea, besides prominent negro doctors, lawyers, clergymen and teachers in Georgia, South Carolina, Alabama and Tennessee were invited to participate—in all about 300 persons, of whom 100 volunteered and fifty completed their part of the investigation within the time allowed them. The completed investigation covers eighteen cities, all but one of which are in Southern States. Particular attention was paid to the selection of groups and to the character of the data secured in the cities of Atlanta, Nashville and Cambridge (Mass.), and the results are the most representative and accurate from these three places. The plan followed was to select groups of from ten to twenty houses standing together in the portions of the city taken to be typical of the condition of the negro in that locality. The part of the tables which is supposed to be most trustworthy covers 16 groups in Atlanta, 10 in Nashville and 1 in Cambridge; these groups stand for 324, 246 and 98 families respectively, and 1292, 1090 and 366 individuals respectively in the cities named.

Some of the results indicated in the general summary alluded to are as follows: The figures for household conditions do not indicate overcrowding on the whole, though for some groups and for certain individual families the averages for persons to a room are high. The use of the same room or rooms for cooking, eating, living and sleeping purposes is noticeable and in some groups is quite common. Of 324 families living in Atlanta, 73, or 22.53 per cent, owned the houses in which they lived. In Nashville the percentage was higher, being 116 families out of 246, or 47.15 per cent. In Cambridge, only 3 families out of 98 owned their homes. In the enumeration of ailments of those sick during the year, malarial fever seemed to be the most common complaint. Rheumatism and pneumonia were said to be common, but the large percentage of unknown or unclassified complaints render these figures of doubtful value. The report states that the absence of such diseases as rickets and other developmental lesions in these families shows that the children have a fair heritage of good constitutions to start life with. The death rate of the colored population is greatly in excess of that of the white, but has constantly decreased according to the figures compiled from the health reports of the various cities for a period of fourteen years. The total and the illegitimate births and the birth rate per thousand of both white and colored population are given for the city of Baltimore for the ten year period 1884-1893. It seems from these figures that the birth rate throughout the period is about 10 per cent higher for the white than for the colored; the

average for the first five years compared with the second five indicates that the birth rate for the white population has increased very slightly, but that for the colored has fallen off about ten per cent. The illegitimate birth rate per thousand of the population is several times as great for the colored as for the white population throughout the period.

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ANNALS
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POLITICAL AND SOCIAL SCIENCE

THE SHIFTLESS AND FLOATING CITY
POPULATION.

There are three distinct points of view for the consideration of the problems suggested by the above topic. First, there is that of the social revolutionist, who traces all shiftlessness and inefficiency as well as all poverty, to the present method of distribution, especially to such social arrangements as the state, private property or private ownership of land. The views of this class may be ignored as they have no interest in the present discussion. Second, there is the conservative citizen who accepts things as they are and sees little hope for radical improvement, who infers that because we have with us always the poor, and the shiftless, and the inefficient, we may as well support them by our present methods, who responds to all pathetic appeals upon his generosity and does not begrudge a share in his surplus to the unfortunate dependent. Citizens of this type hold the key to the situation and must be converted, and, the view to which they should be converted is the third, that of the reformer who looks for radical change in the long run and who accepts meanwhile the

necessity for remedial measures. It makes a great difference to the welfare of society whether dependents shall remain at liberty to select the manner of their support, and whether young men who are not making their living by legitimate employment are to be put in the way of becoming useful members of society.

A conspicuous historical illustration of the truth that remedial measures may be effective, is set forth in the volume of consular reports on "Vagrancy and Public Charities," issued a few years ago from the Department of State. Without attaching undue importance to the opinions or testimony of any single consul, what appears to be the large lesson of the reports is clear. Twenty years ago one of the most beggar-infested countries of Europe was Germany. Able-bodied men in alarming numbers tramped through the provinces of all states of the empire; some of them in search of work, others for love of vagabondage. In 1873, 200,000 men and boys were living as vagabonds in Germany, begging from town to town, demoralizing, and, in many instances, terrifying the rural communities.*

But, whether it was because the necessity for better organization of public philanthropy became obvious in Germany earlier than elsewhere, or because it is a trait of the German character to adopt and rapidly to extend a carefully elaborated scheme of social improvement, it is there, as the Consul-General says, that the "restraint of vagrancy and the relief of deserving indigence first received the careful study and treatment which lift benevolence from a sentiment to a science."†

The steps in the prosecution of her active policy were the formation of anti-begging societies; the provision of relief stations and lodging-houses, with a system of passes from one station to another for the man who is in search of work; the establishment of labor colonies; the general adoption of

* See Consular Report on "Vagrancy and Public Charities," p. 291.

† *Ibid.*, p. 290.

some modification of the Elberfeld system for relieving private distress, and the vigorous enforcement of the penal laws which declare, among other things, that imprisoned shall be: Every tramp and whosoever begs, or causes children to beg, or does not prevent persons from begging.

What is the result? Seventeen consuls report from different cities of Germany, and they agree in testifying to the enormous decrease in begging and increase in the efficiency of the real relief of destitution. From Munich, for example, the consul reports that "begging in the streets may be said not to exist, and vagabonds and other objectionable characters are seldom seen." From Düsseldorf: "The arrangement and maintenance of stations where food and shelter are given as an equivalent for labor have nearly done away with street begging." From Bremen: "Every person caught begging is imprisoned in the house of correction or in the workhouse for a term of four months up to two years, where they have to do the kind of work or labor to which they are best adapted. They have to obey orders strictly, but there is nothing humiliating in the treatment they receive; but, on the contrary, it is tending toward the elevation of their self-respect. A part of their earnings is reserved and paid to them when leaving the institution. About twenty-five per cent of these beggars remain incorrigible and have to be repeatedly punished and imprisoned, while the rest of them become self-supporting members of society." These extracts are representative of the evidence furnished by the reports.

Contrast them with but two quotations about countries in which the conditions twenty years ago were no worse than in Germany, but in which remedial measures have not been employed. And these, also, are typical. First Sicily:

"No country, perhaps, has a greater percentage of beggars than Italy, and in no part of Italy are beggars so painfully numerous as in Sicily, where all public buildings, churches, banks, theatres, hotels, and approaches thereto, as well as streets, promenades, and

parks, are teeming with beggars, whose importunities are as constant and general as they are annoying. In fact, so numerous are they and conspicuous that one is given the impression that half the population is begging; but although begging is so prevalent, the class of roving beggars known as 'tramps' is unknown here for two reasons: one, that no Sicilian beggar has the energy to travel from place to place, and the other the certainty of the place to which he might go being as thoroughly infested and fully occupied as that from whence he came."*

From Spain:

"In this country vagrants or tramps are not controlled at all. They seem to be indigenous to the soil, growing spontaneously and multiplying. Without them Spain would be lonesome and politeness would lose its most earnest devotees. Tramps regulate themselves. They are governed by the law of demand and supply, and by playing upon the heartstrings of their fellowmen, enjoy life without its burdens. They have no notes to pay, no bills to meet, because, fortunately for them, nobody will give them credit; no responsibilities, no cares, no debts, no social standing to maintain, so, with crusts of bread and small pieces of fish, they satisfy the cravings of hunger and rest sweetly upon stone steps. A happy child of nature is the Spanish tramp. He is a model for all other tramps; a genius in his line of business, and a perfect success in his calling. Of course the great body of all tramps are professionals. Who is worthy and who is not? that's the question—nobody knows and nobody seems to care, so the tramp tramps on, becoming bolder in his demands and multiplying like the sands of the sea, while the pockets of the patient public are emptied and the people endeavor to smooth their irritated nerves; nothing is done, however, to arrest the evil."*

What is desired is not that we should attach our faith solely to repressive and correctional measures, but that we should use them in their place, and learn where they belong in the general scheme of educational and social progress. A study of the present status of vagrancy in New York City is especially instructive.

Until within a few years, the policy of that city resembled that of Spain more nearly than that of any enlightened city

* Report of Consul at Palermo.

† Report of Consul at Malaga.

of Northern Europe. Vagrants crowded to the city in vast numbers, especially in the early autumn. If unable to pay for a cheap lodging they were entertained in a free police station lodging-house. They were allowed to beg on the sidewalks and from door to door, with little molestation. What they obtained was spent largely on beer or whisky with which went a free lunch. When at the lowest ebb they sank into the stale-beer dive—and so they lived. At election times they were freely employed in numerous districts, and political influence secured speedy release from the workhouse if they happened to be arrested and committed. Under such favorable conditions, the number of the floating and shiftless steadily grew, and became increasingly dangerous.

Since the advent of the present city administration, there have been certain changes out of which it is now hoped that a general policy for grappling with the whole problem may be formulated.

I. The police stations have ceased to provide lodgings. These pest-holes of discomfort, filth and contagion have given way to a municipal lodging-house, with compulsory shower baths, disinfection of clothing, a comfortable bed, supper and breakfast, investigation of all comers and a liability to commitment to the workhouse for all who prove to be vagrants, and a return to their homes at the expense of the state for those who are found to have legal residence elsewhere, and who, in the opinion of the authorities, should be thus returned. This change in the method of dealing with those who claim a night's shelter from the city, is alone cause for a considerable amount of rejoicing.

II. The cumulative-sentences law is another long step in advance. Under this law, magistrates commit to the workhouse for vagrancy, disorderly conduct and drunkenness, as heretofore, but they do not determine the sentence. The first commitment is for five days, the second for twenty, with subsequent progressive lengthening of the term up to

a period of six months. In the case of vagrancy, however, the Commissioner of Correction, even for the first offence, is authorized to fix the term at any period between five days and six months, and through several months of the past winter such sentences were uniformly for three months. Every morning about twenty vagrants were committed to the workhouse from the municipal lodging-house and a somewhat smaller number returned to their homes by the Department of Charities at the expense of the state.

III. The new registration and election laws have made the former traffic in votes impossible. In the election of last November, although a large amount of money is supposed to have been expended—for educational work—there was practically no fraudulent voting such as was notoriously frequent a few years ago. This was partly because of the better law, partly because of police vigilance.

IV. The Raines liquor law, prohibiting the free lunch, has made life more expensive for the New York vagrant. This can hardly be said to affect the professional beggar who is willing to master the arts of his calling and to work at it persistently in all kinds of weather. Such a one can easily clear several dollars in a good day. But the genuinely shiftless and floating vagrant, who lives on a few cents and unorganized charity, is sadly discouraged by the necessity of paying for his food separately. If the provision is maintained* it will certainly make easier the task of dealing with this kind of dependent.

V. The stale-beer dives, of which Mr. Riis has given the best description, have disappeared within a very short time by the general introduction of a more effective apparatus for drawing the beer from kegs. These places were generally called two-cent restaurants. Doctored, unlicensed beer was their chief ware. Sometimes a cup of coffee and a stale roll might be had for two cents. I add a few words from the description in Riis' "How the Other Half Lives"—

* Since the above was written this provision has been strengthened.

“The men pay the score. To the women—unutterable horror of the suggestion—the place is free. The beer is collected from the kegs put on the sidewalk by the saloon-keeper to await the brewer’s cart and is touched up with drugs to put a froth on it. The privilege to sit all night on a chair, or sleep on a table or in a barrel, goes with each round of drinks. Generally an Italian, sometimes a negro, and occasionally a woman runs the dive. Their customers, alike homeless and hopeless in their utter wretchedness, are the professional tramps, and these only. The meanest thief is infinitely above the stale-beer level. Once upon that plane there is no escape. To sink below it is impossible; no one ever rose from it.”

This was written in 1890. I have it upon the same authority* that for the reason I have indicated, these dives have absolutely disappeared. There is no longer stale-beer left in the kegs, and as it was for this they came, the customers have forsaken them and the dens themselves have gone as if by magic. There remain many kinds of demoralizing and infamous places; but the stale-beer dive, the worst of them all, is no longer to be found upon the island of Manhattan.

VI. Finally, the police department last spring opened a vigorous crusade against street mendicancy. Ever since its foundation, the Charity Organization Society has employed one or more special officers to patrol the streets in search of beggars, warning those who were seen for the first time, referring them to the offices of the society or to the Department of Charities as seemed the more suitable, and arresting old offenders or any who were clearly vagrants. The chief of police has now detailed twelve men for this work. They patrol in citizens’ clothes, and their instructions are identical with those under which the officers of the society have worked. Persons who are believed to be residents and whose families are in need, are referred to the nearest office of the Charity Organization Society; all

* I am indebted to Mr. Riis for information, not only upon this point, but also on police station lodging houses, and other aspects of the subject under discussion. Probably no one has done more to lead public opinion to sound conclusions on the evils of vagrancy and the practicability of its cure.

beggars are warned and any found begging after such warning are arrested and committed to the workhouse. A full descriptive record of every person so arrested is forwarded to police headquarters, there copied, and then sent to the central office of the society. The men detailed for this duty are carefully selected and are expected to remain in it permanently in order that they may become acquainted with the characteristics of the class with which they deal and skillful in advising those in distress as to the best way of securing the necessary relief.

This action and the closing of the police stations, both of which are of the greatest importance, should alone win for the police board of the present administration the hearty appreciation of all who care for the welfare of the city.

The committee on vagrancy of the Conference of Charities, which represents the most aggressive reform sentiment that has yet crystallized in New York City, advocated before the legislature a bill providing for a farm colony, or farm school, to which were to be committed vagrants between the ages of sixteen and forty—not for punishment but for training in habits of steady industry. This bill was defeated in the assembly on the ground that it gave too extensive powers to the board of managers; but it passed the senate and may be introduced another year. Of the ten thousand lodgings given within a period of two months at the free municipal lodging-house, fully five thousand—one-half—were to men under thirty years of age, strong, able-bodied and well-nourished. Such is the testimony of the examining surgeon who saw them nightly stripped for the shower bath. The farm colony is for such men, and the farm school and the municipal lodging-house are to be regarded as parts of one system.

The lodging-house is under the charge of the Department of Charities. When in satisfactory working order, there is attached to it a sufficient corps of investigators to report within twenty-four hours on every lodger who gives a reference

in the city. The plan contemplated by the committee on vagrancy, which has not yet been fully adopted, is that all applicants who have been less than a month without a residence shall be received and their statements investigated. For such applicants, if they are found to be truthful, the assistance of private charity is to be invoked, provided anything more than a single night's lodging is needed.

Those who have homes elsewhere are to be returned at the expense of the state or otherwise. A sufficient amount is placed by the legislature in the hands of the Superintendent of State and Alien Poor to provide for the transportation of those who live out of the state. Those who have residence within the state may be returned by the City Department of Charities. Any who have been one month or more in the city without a residence, whether native or not, are not to be received; but are to be conveyed at once to the nearest police station and detained as vagrants, not as lodgers, and are to be arraigned in court next day. This distinction between those who have lived without regular employment and without a residence for less than a month and those whose stay has been for a longer period, is arbitrary; but errs, if at all, on the side of leniency. Those who have thus been dependent for a month or more will not be worse off in the workhouse, assuming, of course, that adequate accommodations and facilities for work are provided. It is not a hardship to the individual unless the conditions are distinctly less favorable in personal comfort and in their influence on personal character. They are probably an improvement in both respects. Aside from the clear public benefit, the step is, therefore, in the interest of the individual.

Unfortunately, the lack of facilities for work in the workhouse at present somewhat frustrates this purpose, but a liberal appropriation has been made to enable the Department of Correction to occupy an additional island in the

East River where hard work will be possible. The lodging-house thus becomes a sort of distributing centre, from which some will go to the workhouse, some to the almshouse, some to hospitals, some to their homes elsewhere, some to the offices of charitable societies, and many to their own independent search for work or friends. Those for whom there is no other natural provision and who are of suitable age, would have been sent under the proposed law to the farm colony.

Such are the two general features of the plan which is urged by the committee on vagrancy for the elimination of the floating and shiftless population. In criticism of this plan, it may be said that it is clearly an advance, and that all the arguments are in favor of its further prosecution. But it is also true that it does not go to the root of the matter. Considered as a comprehensive plan for restoring to productive industry the general body of inefficient young men now vagrants—it rests upon the mistaken assumptions that the flow of population to the city is an evil, that it is remediable, that those who prove incapable in the city can be made self-supporting most easily by teaching them something about farming and thereupon transferring them to the country.

These have long been the prevailing views of a large class of reformers, but without going deeply into the matter I venture to suggest that it is useless to dissipate valuable energy in an attempt to prevent a movement of population which has shown itself to be world-wide and to rest upon necessary economic changes. The agricultural revolution which has been in progress is not finished, and it is a question whether we are not protracting the period of suffering by every attempt to induce an incapable worker to remove himself from town to country.

Workers must go where the work is to be done, and the industrial changes in progress clearly indicate that an increased proportion of the work to be done by human labor

will lie in the industrial centres either in or immediately about the great cities. The inefficient farmer may be trained to efficiency in a subordinate position on the farm as the small farms are merged into larger, but the inefficient builder, weaver, forger, machinist, furnace-man, longshoreman, garment-maker, and common laborer of the town must be transformed into the efficient town laborer at the expense of the town, in institutions teaching town trades, having in view future residence and productive labor in the town itself.

The farm school, therefore, in a general remedial scheme, should be but one, and probably the least important, of a series of correctional and educational agencies, and the goal is not transference indiscriminately of all the incapables of the city to the soil but the placing in some honorable industry of all who develop the qualities essential to success in any.

From this point of view, industrial education assumes a new importance. If in the schools we train all of both sexes in such a way that they will be able to turn when occasion arises from one occupation to another, and if we admit no immigrants save those who have acquired equal capacity elsewhere, the amount of correctional training required will be reduced to a minimum.

Taking into account the national interest as a whole, the city is a better and less dangerous and less expensive place for the vagrant than the country. His migration to the city should be welcomed rather than discouraged. If he is in the city we shall be more conscious of his existence, but for that very reason we shall be better able to deal with him. There is greater taxable wealth and, therefore, greater resources for charitable relief and for correctional discipline. The whole of the repressive and remedial work can be done more efficiently and with better opportunities to watch the results than in the country. What the conventional view amounts to is that we of the city have done our full duty when, at the expense of the country, we have gotten rid of

the greatest possible number of individual vagrants, incapables and unfortunates, adults and children. This shortsighted view must be displaced by a determination to shoulder courageously the burden of our own dependency. What is objectionable is not the return to the country of those who clearly belong there, provided they are intercepted within a reasonable time, or the restoration to farm life of any who show the qualities required in it; but the assumption that a farm training is the natural cure for the general shiftlessness and vagrancy of the city and that there is some peculiar virtue in farm life which will eradicate the in-bred disease of dependency.

An illustration of the divergence between the two views may be found in the present agitation against cheap lodging-houses. These are now and have been for ten years or more the special curse of New York City. There are 116 of them, with 15,000 to 16,000 beds. They have finally been brought under very efficient supervision. A permit is required which may be revoked peremptorily by the health board, either for a short time, until some specific violation of the regulations is remedied, or finally if the offence is serious. They are inspected twice a week. They are allowed to receive only a specified number of guests, and none except on spring beds. If a mattress is used it must be covered with oilcloth. Beds must not be less than two feet apart. Provision must be made for baths and a room set apart for any case of contagious disease. The price of a bed or room varies from seven to thirty-five cents and is generally ten or fifteen cents. The moral influence in many of these houses is vicious. An observer whose office is directly opposite police headquarters in Mulberry street and whose duty for many years has been the reporting of police news for one of the great dailies, tells me that there is no doubt whatever that a very large proportion of the more serious crime of the city is to be traced directly to the idle hours of shiftless loafers in the cheap

lodging-houses. Any measures which will bring about a change of life in the homes of these few thousands of our people, would make life and property more secure and remove one of the greatest social dangers with which we are threatened.

One of the most effective opponents of these cheap lodging-houses, Mrs. Charles Russell Lowell, does not rest content with attacking them because they are vicious and demoralizing, but goes further and draws indictment against them all, good and bad, and against all inexpensive provision for homeless men, on the very different ground that they attract the incompetent to the city. Quoting from Superintendent Byrnes, late chief of police, in a recent address before the Conference of Charities, Mrs. Lowell calls attention, as she had often and effectively done before, to the undeniable fact that the lodging-houses have a powerful tendency to produce, foster and increase crime. Superintendent Byrnes had gone so far as to say that "in nine cases out of ten the stranger who drifts into a lodging-house turns out a thief or a burglar, if indeed he does not sooner or later become a murderer;" that "thousands of instances of this kind occur every year."

In the face of this testimony, Mrs. Lowell's contention for the constant improvement of the common lodging-house by law and by strict inspection is eminently justified. The argument should rest upon this unassailable ground, that the lodging-houses in question are known by observation and experience to exert an influence for evil. But an attack upon all provision for inexpensive lodgings under conditions free from the positive evils, is a very different matter. Whether or not, for example, the splendidly equipped lodging-houses for single men which Mr. D. O. Mills is now constructing on Bleecker street will be productive of any harm of this sort, depends upon the character of the social life which develops in it. If some hundreds of young men of congenial tastes and a desire for good society,

are given an opportunity which is denied the boarder in the hall bed-room who is paying the same rates, and which is utterly impossible in the common lodging-house, then they will prove a public blessing notwithstanding their effect in drawing some men from the country.

By making men more contented in a bachelor's life they may somewhat delay marriages, and some marriages they may prevent altogether. This effect can scarcely be deplored. Since whatever views we hold on population in general, we cannot welcome an accelerated increase in that part of the population which is living at the lowest existing level. The shiftless and floating family is more to be dreaded than the single vagrant, for charity will respond to appeals on behalf of a dependent family even to the extent of providing a living for months together if the head of the family is not employed, while a single man who cannot make a living can be more easily removed to some such educational institution as that for which the reformers are working.

The Salvation Army shelters must be discussed similarly on their own merits. The objection to them is not that they draw men from the country or from smaller towns, but that the desire to bring together materials for the spiritual work of the army tempts to a very low standard of physical decency and to persistent violations of the most elementary sanitary regulations. Presenting themselves as a semi-charity, they conciliate public sentiment and make it comparatively difficult for the health authorities to apply their ordinary supervision. They have been centres of contagion in London, where, unfortunately, they do not come within the generally ample sanitary inspection. In New York City their regular lodging-houses are governed by the ordinary regulations of the health department, but no one has as yet interfered with the occasional emergency measures, such as the opening of a large audience room, in February of this year, to 1600 nightly lodgers on seats and in

aisles that were to be used the next day for an ordinary public gathering. It is a significant indication of the real sources from which such lodgers come that the number of regular lodgers in the municipal lodging-house decreased when the auditorium was opened from three hundred to about one hundred; the number at the Wayfarers' Lodge of the Charity Organization Society fell off in even greater proportion; while the average reduction in the cheap Bowery lodging-houses was found by a curious visitor to be about fifty per cent. In all these places there would have been a normal increase if the Salvation Army quarters had not been opened.

This experience is only a new proof that in our study of the homeless poor of the city, we must include not only the few hundred men and the few score of women that are at any given time absolutely without shelter, except such as charity or public relief may provide, but also the ten or fifteen thousand persons who live in cheap lodging-houses and who are homeless in the sense that they have no real home—no home ties and influences, no permanent engagements for payment by the week or month that would interfere with the cheerful acceptance, at the eleventh hour, of a free shelter which might open its doors if only for a night.

The irresistible conclusion of the most careful study will be that the fundamental difficulty is in the home and school life of the young people. The correctional devices to which some attention has been given are needed only to give society a better chance as it were to work at its social and educational problem. Kindergarten, manual training, trade schools, professional training for public school teachers, instruction in the best ways of using an income large or small, the prevention of indiscriminate charity, organized intelligent effort on behalf of individuals and families in distress, the proper care of homeless children, the study of social conditions in college settlements, the creation of public opinion by the extension of university

teaching—these are the methods which, without any desire to be eclectic and to conciliate everybody, but only with an intense conviction that our whole social problem is one, I propose as the means of eliminating our shiftless and floating population.

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THE PROBLEMS OF POLITICAL SCIENCE.

The recent literature of political science, in marked contrast with the writings of the Austinian school, reveals much uncertainty as to the scope and problems of the science. Many regard this uncertainty as the opening of a period of more fruitful, because less dialectic, discussion. It is evident that many accepted political theories are survivals of an earlier period, and that in dealing with practical problems we use political formulæ arising from conditions essentially different from those of to-day. In this respect some striking analogies are found in the history of economic theory. The terms of the science, its logic and even the formulæ which were regarded as economic laws, have been questioned. But out of this apparent chaos, a body of thought is evolving which has modified and promises to supplant the Ricardian system, giving us a theory of economic relations corresponding more closely to the facts of modern industrial life. The clear recognition of the facts of modern industrial life bids fair to give us a new theory of economic progress.

A like situation confronts political science. While it is too early to predict ultimate effects upon the problems of the science, some of the changes necessary to a closer adjustment of political reasoning to political conditions are apparent at the present time. The question is one of tendencies rather than results, involving the gradual adaptation of method and interpretation to the new relations. That new political relations have developed within the last half century calls for no detailed demonstration. To prove that political theory has not kept pace with these changes requires somewhat closer analysis.

In spite of the fact that many of Austin's conclusions have proven erroneous, his conception of the scope of political science, of its problems, of the methods of political

reasoning, are generally accepted in the systematic treatises on the subject. Austin's views depend upon the conditions of the highly developed political communities of the Western world and lose much of their value when brought into relation with the conditions of more primitive civilizations. In the light of recent research we are now in a position to see that the greater part of Austin's definitions such as law, positive morality, sovereignty, non-sovereign political communities, etc.—rest upon the conditions of an advanced political development. They assume that religious, ethical and political standards have become differentiated, that national unity is the basis of state existence, that the democratic evolution of society has reached a point beyond that of most modern communities. The polemical character of much of Austin's work is founded in this peculiarity of his system. His discussion was directed against the remnants of the eighteenth century political philosophy. Austin's immediate predecessor, Bentham, had not been able to emancipate himself completely from the philosophy of a "state of nature." The discussion of "natural" society in the writings of Bentham has the flavor of an earlier period while ideas of natural law, natural rights, rights inherent in the individual independent of and superior to all political authority, reappeared in the writings of his time. Strongly impressed with the great increase in legislative activity in England, and the more definite expression of rights and obligations resulting therefrom, Austin saw the necessity of demonstrating the supremacy of positive law, *i. e.*, law in its objective expression. This he did with far greater success than Bentham. His contribution to political science can be gauged at its true value when viewed from this standpoint.

On the other hand, it must not be forgotten that Austin entirely neglected the subjective basis of law as well as its relation to the changing standards of the community. In fact an inquiry into the psychic and objective factors

determining legal development finds no place in his system. His great claim to recognition lies in the fact that he offered a clear analysis of law in the objective sense, a definite terminology and a series of concise definitions.

The field of jurisprudence left untouched by Austin has not been occupied by any English writer. Of Continental treatises Ihering's work is the only important contribution to the subject. The contrast between his "*Zweck im Recht*,"* and Austin's "Jurisprudence" throws much light on the present problems of political science. The two authors are interested in a different series of problems, which accounts for differences in method and premises. In Austin we have a cross-section view of the English political system, with sovereignty, law and morality treated as isolated facts. No attempt is made to assign them a place amongst the other political and social forces. Nor is allowance made for the great diversities in political organization; for the degree of development of unity and symmetry in the body politic. It is assumed that there must be some definite organ or group of organs enjoying legally unrestricted power. Now, the very idea of "legally" unrestricted power is characteristic of a period of advanced political development, a period in which the spirit of law has fully asserted itself.

In Ihering, on the other hand, we have a discussion of the subjective basis of law, of the forces which influence its growth, and of the relation of law to the other order-producing forces in the community. The significant feature of Ihering's argument is that law does not represent an isolated fact, the command of a sovereign political authority. His philosophy of law is brought into direct relation with the philosophy of society.

An examination of the history of English political science will show that the method adopted by Austin has its root in Hobbes and Locke. In fact Hobbes, Locke, Bentham, Austin, Holland and Markby, form an unbroken line of

*Also his "*Geist des römischen Rechts*."

thinkers, whose writings, in spite of great differences in conclusions, show practical unanimity in method, in interpretation of political phenomena and in terminology. It is to be noted that the relative justification of the method adopted by this school is not in question, for the results of Austin's work has placed it beyond doubt. The real issue is, whether we have not reached a stage in political development in which problems of a different character, demanding a different method of analysis, call for consideration; whether the continued domination of the Austinian method is not likely to lead us to a ceaseless reiteration of threadbare formulæ. The importance of a general recognition of this danger becomes apparent when we stop to consider that most of these formulæ are of little significance at present; many of them having been disposed of, not by the political scientists, but by conflict—physical, economic, moral and intellectual. For a period of undeveloped political relations, when the conflict of opinion corresponded to real differences in class and sectional interests, the determination of the seat of sovereignty was important. To refute the idea of natural rights was of importance in a period when the acceptance of this idea by a considerable portion of the population threatened political anarchy. Instances may be found at every period in history. In the conflict of the English people with the Stuarts, the question of the right of resistance was one of great practical importance and soon became the main problem of political science.* When this question had been fought out, when the supremacy of Parliament had asserted itself, the problem lost its importance and, therefore, its interest. New problems arose. The freedom of the individual, his immunity from arbitrary interference on the part of the public authority, became the requisite conditions of further progress.

* Another and more recent instance is to be found in the attitude of the Catholic clergy and a large part of the Catholic population of Prussia during the "*Culturkampf*." The law was set at naught on the ground that it was in conflict with the papal interpretation of political obligations.

To secure these conditions some means to check the power of the executive, to restrain the crown and its agents, had to be developed. Furthermore, the growth of more complex economic and legal relations called for the development of an independent authority to supervise and guarantee their adjustment. Without it social order and stability were impossible. These new organs of government, under the name of the judiciary, developed a body of rules of interpretation which, in a subsequent period, were to constitute the most effective guarantees of the citizen against the executive.

Montesquieu formulated this practical political necessity in the sixth chapter of the eleventh book of the "*Esprit des Lois*." He saw clearly that greater security for recognized personal and property rights was one of the chief needs of the time. Unless this security were attained the motive to individual activity and initiative would be greatly reduced and economic progress would be retarded. He found in England a system of individual liberty resting on legal and extra-legal guarantees unknown to the Continent. The separation of powers into executive, legislative and judicial seemed to explain the growth and guarantee of such freedom. The scheme of government which worked itself out in his mind, and which he thought was a counterpart of the English system, was described as follows: "Thus the legislative power will be entrusted to the body of the nobles and the body of the representatives of the people, which will have their meetings and their deliberations apart and will have distinct views and interests."

"The executive power ought to be in the hands of a monarch; because this part of the government, which must ordinarily be in a position to act promptly is better administered by one than by many; whereas matters of legislation are often better ordered by many than by one. . . . If the executive power does not possess the power of defeating the encroachments of the legislative body, the latter will

be despotic, for being able to invest itself with every imaginable authority it will annihilate every other power. . . . The legislative body is composed of two distinct parts, which limit each other by their respective vetoes. Both will be restrained by the executive power, and this in its turn will be restrained by the legislative power.''

This doctrine of the separation of powers became the text for political writers. The principles of governmental organization founded upon it remained the accepted canons of political science long after English political development had deprived the doctrine of any value as an absolute formula. The survival of the principle in its original form has been due to the fact that it did not antagonize any distinctly felt want. Furthermore, political thought was being directed into new channels. Presently we shall have occasion to examine the influence of the doctrine upon the development of American political institutions.

The foregoing analysis has given us the clue to two methods of political research; each dealing with problems of a different nature. The first is the Austinian method in jurisprudence which is peculiarly adapted to the study of political institutions at a given period. Society is viewed in cross-section. The organs of political authority, their constitution, activity and relation to one another are made the subject of research. The discussion of the form of government, the determination of the supreme law-making authority, the relation between governmental organs, etc., are questions to which this method is peculiarly adapted. If we may be permitted to borrow, as the economists have done, a term from physical science, these problems may be termed those of static politics.* These questions are of great importance, but the method adapted to their analysis has definite limitations which we must clearly recognize. Inquiry in the domain of static politics does not and cannot give us

* See "Political Science and Comparative Constitutional Law," by Professor J. W. Burgess. 2 vols. Boston: Ginn & Co., 1893.

anything more than a picture of the working of institutions divorced from the ideas upon which they rest. Its discussions are confined to those relations which find definite expression in the public and private law. Extra-legal considerations may be introduced incidentally, but are not made the basis of discussion. Organized forms, rights and obligations recognized and enforced by law exhaust the catalogue of subjects beyond which analysis is not carried. In order that discussions of this character may lead to fruitful results, great care must be exercised in the use of terms. The ever-changing conditions of political life are constantly giving a new content to the terms of the science. It is impossible to formulate a terminology applicable at all times and to all countries. The terms family, sovereignty, democracy, liberty, law, rights and obligations do not connote the same group of relations when applied to ancient Greece, as when applied to mediæval France, or to the England of the latter half of the nineteenth century. It is a matter of great importance to determine whether these concepts, in the sense in which we understand them, existed in earlier epochs. Did they, or similar institutions performing the same function, rest upon the same subjective basis; upon the same instincts, feelings, prejudices, ideas and ideals?

The failure to recognize clearly the evolutionary nature of political relations and the resultant change in the content of political terms leads to barren dialecticism. An examination of recent American treatises will show that we are not free from this weakness. The tendency to reason from definitions rather than from facts seems to be one of the strongest temptations to political scientists. In spite of every precaution, few, if any, of the recent contributions to political science escape this criticism. In a recent work,* which has attracted considerable attention, the author, discussing the distinction between the family and the state,

* "The Nature of the State," by W. W. Willoughby. New York : Macmillan, 1897.

says: "The two institutions are different in essence. In the family the location of authority is natural (*i. e.*, in the father). In the state it is one of choice. Subordination is the principle of the family; equality that of the state." We are here given the choice between two contradictory positions. If the term "state" is used as a general political concept—and this is the only use consistent with the author's conception of the function of philosophic concepts—his reasoning is unsound because unhistorical. That in primitive and even in such highly developed political societies as the Roman, no such distinction can be drawn, has been shown by Maine and Mommsen. The early Roman family was based upon what we now consider purely political relations. "The family, based upon the principle of the state, becomes the state based upon the principle of the family*." To reserve the term "state" for the complex and highly-organized political communities of modern times would throw the discussion into hopeless confusion. It is hardly possible to reconcile such an interpretation with the statement† "that the designation of the state cannot be refused to a society of men, if politically organized, even though it be in the nomadic stage. Lower order of development cannot deprive an institution of its generic name."

Such inherent contradictions show more clearly than any amount of argument, the great care which is needed in the use of terms. We must keep constantly in mind the infinite varieties of political organization which the term "state" may connote, and not make it express a distinction that is peculiar to one period of development, and which inevitably leads to confusion. The difficulty with which we have to contend is as old as the science of politics. It is the attempt to arrive at concepts of universal applicability by a method which does not lend itself to the task. It is a question to my mind whether we can hope to formulate any such general

* Ihering. "*Esprit du Droit romain.*" French Edition. Vol. i, p. 178.

† Willoughby. Cap. i, p. 27.

concepts, or at least such as will be of real value in a comparative study of political relations. A method of inquiry essentially different from that outlined above becomes necessary.

The difference corresponds to a fundamental difference in the attitude towards problems of political science. It brings us to the second division of politics, which I shall call "dynamic politics." The study of political evolution, of the relation between institutions and ideas, of the adjustment of such institutions to the needs of the community, are the leading problems in this field. The very statement of these questions shows that our analysis must go beyond the organized political forms. The political bearing of economic facts as well as the political results of changes in economic relations must be examined. The forces developing new standards of conduct, be they class or general standards, must be brought into direct relation with the facts of political life. If political science is to ignore these questions, their treatment will be delegated to the allied sciences. Sociology has already begun this work. The comparative barrenness of American political literature is to be ascribed, in part, to the narrow interpretation of the scope of the science. Political scientists have been content to accept classifications suggested by writers in the allied sciences, an attitude which is disastrous to the growth of a science.

Let us take, as an instance, one of the most recent as well as one of the most liberal interpretations. Professor Giddings in his "Principles of Sociology," says: * "Political science studies the state within the constitution and shows how it expresses its will in acts of government. It inquires how the state within the constitution is created and moulded by the state behind the constitution, but beyond this, political science proper does not go. The state beyond the constitution, or natural society as we should otherwise call it, is for politics as for economy; a *datum*." This line of division meets all the requirements of the problems of static

* Page 35.

politics and has the great advantage of being readily distinguishable. The moment, however, that we enter upon the study of the second class of problems, the state behind the constitution,—“the facts of natural society” become something more than data for political science. It is only by such considerations that we can explain the causes and process of political change. Illustrations from primitive communities where the conditions are relatively simple offer the clearest demonstration of this principle. In such communities conscious adaptation does not enter as a disturbing factor to the same extent as in our highly developed modern ones, and political institutions become the simple expression in the political sphere of economic relations. It is true that psychic factors, such as the supernatural interpretation of the objective environment soon enter as modifying factors. Take, for instance, the primary fact of command and obedience, the earliest of political relations. This relation was the immediate result of the conditions of the objective environment—the necessity of obtaining a food supply and protection against attack. As such, its growth became a condition for the continued existence of the community. We must therefore look to the conditions of the objective environment for the efficient cause of political evolution during these early stages. When, at a later period, private property had developed, the same intimate connection between economic and political relations can readily be traced. Usually the possession of the relatively scarce factor in production carries with it political power. Even class distinctions ultimately break down before the fact of economic supremacy. Individuals of low birth acquiring control of the factor in production which is either absolutely limited in quantity or, relatively the most slowly increasing, come to be regarded as of royal descent.

This relatively scarce factor in production may and does actually change at different periods. At one time it may be cattle, at another land, and still another tools or implements.

Sir Henry Maine gives several striking instances from the political constitution of early Irish villages. Political leadership was determined by the ownership of cattle. The loan of cattle created definite political relations; the degree of political subjection being dependent upon the number of cows or oxen borrowed. The relation of borrower and lender carried with it a political relation or status. It would probably be more exact to say that the two relations were not consciously distinguished; the political status following as a matter of course upon the economic cause. With the differentiation of economic opportunities the modification of this particular relation became necessary before further political advance could be made. So intimately had the two ideas of "cattle-borrowing" and "political dependence" become associated in the minds of the people, that the only means of political emancipation lay in a restriction of the right of borrowing and lending. The modification of the economic relation meant an immediate change in the political system.

Add to this the secularization of political relations and the process of differentiating economic, political and religious relations is complete. New ideals of political equality are developed which react strongly upon the political system. Conscious adaptation, with all the psychic influences which accompany it, must now be given an important place in political development. Economic relations continue, however, to play the leading rôle, and economic dependence is still the most important factor in political life. The characteristic features of the Roman system are explained by Mommsen on this basis.* In the explanation of the feudal system, property relations furnish the key to political relations.† With the advance of political civilization and the accompanying development of more complex relations no such simple explanation is possible. The

* See his "*Staatsrecht*" also Brooks Adams "*Law of Civilization and Decay*."

† See Stubb's "*Constitutional History of England*."

increase of the economic possibilities of the individual lessens direct economic dependence. The growth of the idea of the individual as an end instead of a means, which characterized the Reformation period, made for political equality. New religious ideas were making themselves felt in the political sphere. In addition, the inherited traditions of the race, together with the development of the individual as a political being, offered the possibility of an appeal to individual judgment without the danger of moral and political anarchy. Individual liberty in the modern sense does not emerge until this point has been reached. The idea upon which it rests is that of a sphere of activity within which the individual shall be free from arbitrary encroachment.

From the foregoing analysis we can readily distinguish the difference between the two classes of problems above referred to, and which correspond to two distinct divisions of political science. The problems of "static politics" can be kept within the limits of relations definitely expressed in law. Dynamic politics must seek their basis and the laws of their development in the subjective and objective forces influencing national ideas and standards.

The question as to the practical value of discussions within the field of "dynamic politics" still remains to be answered. Will such discussions throw any new light upon the nature of our present problems? Will they give us any valuable indications for their solution? Are not the factors to be dealt with so vague and indefinite as to make practical suggestion based upon them impossible? To answer these questions satisfactorily we must recur to a principle already alluded to, viz., the relations between institutions and ideas on the one hand, and the conditions of the subjective and objective environment on the other. The history of institutions, including within that term customs, class standards of conduct, forms of judicial procedure and forms of governmental organization, has established the fact that institutions

tend to outlast the conditions which determine their growth and furnish the basis of their usefulness. Superorganic evolution does not proceed with the same effectiveness in the elimination of the "useless" and "unfit" as organic evolution. A custom, a habit, a method of political procedure, a type of political reasoning, a form of governmental organization will continue to exist as "survivals" long after the conditions upon which they rested have changed. Not until the lack of harmony has developed into an antagonism of such intensity as to bring about a crisis—threatened political disruption and anarchy—is a readjustment effected. The same is true of political ideas when they are once incorporated into a people's mode of thinking. A clear perception of the evils flowing therefrom, plus a great amount of discomfort and inconvenience, is usually necessary to bring about a very slight change. As long as these evils are obscured by other factors—such as great economic prosperity incident to the exploitation of unlimited natural resources—antiquated political ideas retain their hold unchallenged. A lack of harmony between institutions and the conditions of the environment, no matter how small in amount, is always a source of political weakness. Careful examination of the relation between the two will disclose the weak elements and point the way to a remedy.

The political condition of modern nations furnishes abundant illustrations. France is suffering from a lack of adjustment between the political ideas of the people and the conditions of modern political life. The form of government is regarded as an end instead of a means, as an extraneous factor antagonistic to those deprived of the immediate control of its policy. As a result, questions of internal policy are either neglected or inadequately treated. In Germany, the bitterness of class feeling, which is mirrored in the division of political parties, is one of the obstacles to the development of a high type of political activity in which the attitude of

the population toward concrete problems will be determined by national ideals rather than by class prejudices. We, in the United States have inherited a system of political thought which grew out of the English conflicts of the seventeenth and eighteenth centuries. These conflicts gave to England the body of civil rights which excited the admiration of Continental writers. The system of government, as far as it was a conscious development, was intended to act as a guarantee to these rights. It did not create them but grew out of the need for a guarantee of their continued observance. Continental, as well as American, writers confusing cause and effect, were led to the conclusion that the peculiar characteristics of the English system were essential to the development of individual liberty. Little attention was paid to the differences in political ideas, habits and education, which clearly distinguished the English from Continental peoples. In France the attempt to carry out this principle led to the adoption of a system of government for which the people were not prepared. With English traditions and training to guide us our situation was far more fortunate. We have been able to apply with a far greater degree of success Montesquieu's tests of a free government. In our national and state government the principle of the separation of powers has been carried out as far as is consistent with a workable scheme of government. Special emphasis has also been laid upon the idea of "checks and balances" in the legislative authority. A little reflection will show, that important as these principles are, they cannot be regarded as of absolute validity. Essential to a period in which the fundamental personal and property rights were in constant danger of arbitrary encroachment, they may become real obstacles to positive action at a later period when numerous and pressing problems of a social and industrial nature are demanding attention.

At the present time, the greatest menace to our political institutions comes not from the danger of arbitrary encroach-

ment on the rights of individuals, but rather from the dissipation of political energy and the weakening of political responsibility. The indiscriminate application of the political formulæ just mentioned to all political problems, without reference to their intrinsic nature, constitutes the greatest danger to the progressive development of our political institutions. The first effects may be gathered from an examination of the history of American municipal institutions. At the time when the problem of city government became a pressing one, when the New England system of town government had become unworkable and the New York and Pennsylvania forms had become equally antiquated, their reorganization was effected by the application of the same principles that had determined our national and state systems. No attempt was made to determine whether such principles were in harmony with conditions of life in large cities; whether the reasons which justified their application to the state and national systems were present in the case of city government. We did not see clearly that city problems differ essentially from those of the state and nation. The dangers from hasty action in city affairs, owing to the non-political character of city problems, are far less than in state or national affairs. Municipal questions require positive action. The system of "checks and balances" which we have consistently applied, diminishes public interest in city affairs, wastes energy, prevents the consideration of questions on their merits and weakens civic ties. Political responsibility is not individual but social in character. It manifests itself through compliance with the social standards of the community, standards which are applied at all times, and not merely at intervals of two or four years.

We have, here, an instance of the persistence of political ideas and their influence on forms of government. In the above inquiry, political science must determine whether the form of government is adapted to the problems to be solved.

Another and equally important question is the influence of political ideas upon the actual working of institutions. Scientific analysis must show the degree of harmony between political habits, instincts and ideas on the one hand and the conditions of the environment. Here again lack of adjustment is a source of weakness in the body politic. The recent development of American political institutions furnishes abundant illustration of this principle. Take for instance our attitude towards constitutional law which has been likened to fetichism.* Whether true or not, no one would deny the peculiar influence of the state and federal constitutions upon our political life. To the average American, constitutional provisions represent absolute standards by which all political proposals are primarily to be judged. More than this—they are formulated rules of an inherently different character from other branches of the public and private law. This view found its justification in the English idea of constitutional law, as the body of “rules which directly or indirectly affect the distribution or exercise of sovereign power in the state.”† When we consider constitutional law with reference to the political ideas of the community, we find that our written constitutions, especially the state constitutions, no longer conform to this standard. They contain a great mass of direct legislation; provisions in no sense different, in kind, from ordinary statutory enactments. They represent standards and policies which the people have seen fit to force upon the state legislatures or, more often, a field of legislation withdrawn from legislative discretion. Constitutional law in England and the United States does not cover the same set of legal relations. Nevertheless we continue to judge it from the same standpoint as the English, as if it were a series of fundamental political rules. A proposition which does not conform to them is *prima facie* to be condemned.

* See Von Holst, “Constitutional History of the United States.”

† See Dicey “The Law of the Constitution.”

The influence of the income tax decision upon the opinion of the country is a case in point.

Again, how can political science explain the fact that a system of city government which has proven such a disastrous failure in this country, works admirably in England and Germany? An examination of the different concepts of the city and the resultant differences in attitude towards local interests will explain what otherwise would remain a mystery.

These illustrations go to show that dynamic politics deals with the relation between institutions and political ideas, between institutions and the environment and between political ideas and the environment. It traces the degree of adjustment between these various factors. In the light of such research the same term will be found to correspond to a different set of ideas at different periods, and in different places at the same period; a fact which makes the use of such general terms as law, sovereignty, democracy, etc., extremely hazardous in a comparative study of political conditions.

Thus, a series of inherited political traditions, a system of political thought transmitted to us from a previous epoch, have been the primary causes determining the attitude towards the scope and method of political science. A number of secondary and more proximate causes have further emphasized this tendency, which may be classified under three heads :

First.—The confusion of legal and political considerations.

Second.—The influence of a formula of political progress.

Third.—The use of biological analogies in the discussions of the nature of the state.

It is to be noted that these causes are partly methodological and partly psychological in character. The distinction indicated under the first head rests upon another which is of primary importance in political science, viz., the difference between a stationary and a progressive society. Much of

the reasoning in political science is based upon the conditions of a stationary society; a statement which may seem somewhat paradoxical when we remember that very few writers are acquainted with the political conditions in the stationary communities of the East. The history of the progressive societies of Western Europe shows that the formulated relations of the private and public law have never fully expressed the actual relations. This is especially true of the relations expressed in the public law. Legal principles, when once definitely expressed, tend to take upon themselves a certain rigidity, and are only brought into harmony with changing conditions by a long and slow process of adaptation. The relation as expressed in law may remain the same while the content has been modified. The moment law fully expresses actual relations society becomes stationary. Sir Henry Maine, in speaking of China, says: "Progress seems to have been there arrested, because the civil laws are coextensive with all the ideas of which the race is capable."*

Now, political philosophy must explain this change in actual content and its relation to existing forms. Otherwise, it commits itself unnecessarily to the purely formal side of political organization. How, for instance, are we to explain why similar forms of organization work so differently in different countries? Why is the attitude of the American people toward government different from that of the German? To give a satisfactory answer to these questions it is necessary to examine the phenomena of political life. We can thus arrive at a far clearer notion of the working of political institutions than by confining ourselves to the formulated legal relations. Many of the vague and uncertain factors discountenanced by recent writers must be given due weight.

Another reason for the distinction here referred to has been pointed out by Ihering in his "*Geist des römischen Rechts*." He shows how inadequately law expresses actual

* "*Ancient Law*," Chapter I on "*Ancient Codes*."

political relations, and ascribes this inadequacy to the narrowness of the field of vision of the generation living in the midst of such relations.

The second of the causes determining the present attitude towards the scope and problems of political science rests upon centuries of accumulated experience. The political history of the ancient, as well as of the modern world points to the close connection between social order and political progress; to the necessity of preserving social and political stability amidst change and reform. The communities which were able to develop this combination of order and progress remained progressive and survived in the struggle for existence. The political societies of ancient Greece disappeared because they were unable to maintain social order during the period of political change. The lessons thus taught have given rise to a theory of political progress which has strongly influenced the views of writers as to the limits of political inquiry. Factors which do not operate in definite channels and find expression of order and progress through definite organs are entirely neglected or relegated to the consideration of another science. Public opinion, class standards, group standards, voluntary association and the like, are regarded as the proper domain of sociology. Unless this view is considerably modified it is probable that we shall have to look to treatises on sociology for discussions of the actual content and operation of our political institutions as distinguished from their form. No science can afford to permit a formula of experience, no matter how true at the time, to color its analysis of fact.

A third factor which has strongly influenced the interpretation of political phenomena has been the use of biologic analogies in political reasoning. In counteracting the influence of the ultra-individualistic view of society this method performed its greatest service. On the other hand the dangers involved in its use were not fully recognized. From the justifiable use of analogy we have unconsciously passed

to the complete identification of political with physical organs. Some of the most complex problems of political science have been glossed over by means of terms borrowed from biology. The expression of the will of the community in political action is treated as if it represented a process precisely similar to the expression of individual will. Just as the latter must have definite organs to make itself intelligible, so must the organs of government be fully developed before political science can take account of political action. In fact, without such definite organs, the very existence of political action is denied.* The numerous influences, psychic and objective, determining the nature and direction of political activity are ignored. The analogy is now carried one step further. The organ or organs expressing what is called the "will of the state" are regarded as the highest political authority—the depositaries of sovereign power. The full effects of the use of biologic terms soon become apparent. The transition from analogy to identification is extremely easy and almost imperceptible. Instead of comparing the state with a living organism, writers on political science come to regard the state as a living organism; instead of reasoning from the facts of political life we content ourselves with the use of terms which have their real meaning in the domain of organic life.

The dangers involved in this confusion of thought becomes evident when we stop to consider the relative permanence and stability of forms of government as compared with the ever-changing class and national feelings and standards which furnish the motive power and determine the direction of political activity. Political consciousness may grow in intensity, voluntary association may acquire increased influence, public opinion may grow more enlightened and increasingly directive in its influence; and yet, of all these changes, political science, as interpreted in recent treatises, need take no account. Surely a method which leads to such

* Cf. Willoughby, *op. cit.*

results must bring about a complete divorce of theory from fact.

Take, for instance, the accepted treatment of the nature of sovereignty. While impliedly recognizing that the true basis of political authority is to be found in the political ideas of those partaking in political life, most writers have been unwilling to build upon such uncertain subjective factors, and have taken refuge in the more definite limits of governmental organization.

All manifestations of force which are not expressed through legally constituted forms, are declared to be uncivic or unpolitical in character. If political institutions were viewed from the evolutionary standpoint, it would be seen that our present unwillingness to recognize anything beyond organized forms rests upon the spirit of order and legality which is itself a comparatively late development in the history of civilization. Countless political forms operating without any definite rules of organization or procedure existed prior to its appearance. The law-abiding spirit soon became a requisite for survival. Those communities possessing it were able to conquer their less advanced neighbors. In order to maintain what had been gained and to secure further progress it was necessary that political authority should be exercised by a definite organ or set of organs. To make of this an universal proposition; to connect the idea of sovereignty with unrestricted power of legislation vested in a definite organ, is to associate it with a phenomenon of advanced political development. It is perfectly possible to accept such a definition, but it must not be supposed that it takes us very far in political analysis. To obtain an insight into the conditions of political life in modern democratic communities the problems of dynamic politics together with a method of research adapted to analysis of this character must be given an important place. Unless this is done, we remain committed to the formalism of the Austinian school. "We often talk and sometimes think, as if its

political constitution were to the state what its anatomical conformation is to the living animal, and as if therefore, we might argue from 'structure' to 'function' with the same degree of assurance in the one case as we habitually do in the other." * The lessons of political experience, the facts of modern political development, as well as the analysis of political relations, show that such a method of reasoning is more misleading than helpful. We must examine political institutions, primarily with reference to the functions they are intended to perform in a particular environment. This cannot be done unless the psychic factors upon which they rest are given an important place in the inquiry.

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* "Balfour, "Fragment on Progress," in "Essays and Addresses," p. 266.

ADMINISTRATIVE CENTRALIZATION AND DECENTRALIZATION IN ENGLAND.

There has been manifest in recent years a growing tendency toward the redistribution of administrative power between the central and local authorities in the state governments of the American Union. Hitherto we have been accustomed to look upon the existing distribution or classification of "local" and "central" powers in the various states as something permanent, as a "balance" of powers which should not be disturbed. The principle of extreme local autonomy has so long been held inviolate that it seems almost beyond the possibility of a change or modification. Recently, however, new conditions have arisen which are no longer in harmony with the old, uncompromising spirit of local independence, and which are gradually modifying the more important outlines of our state systems of administrative organization. Numerous examples of these changed conditions and of the administrative changes thereby produced will at once suggest themselves. There is first, the class of those administrative functions which, from their earliest assumption by the state, have always been assigned to the central administrative offices, e. g., state control and supervision over the medical, pharmaceutical and allied professions, state supervision of railways, of forestry conditions, and above all the activity of the state in the protection of the laboring classes as shown in mine and factory inspection. In the second place, the recent changes in certain phases of our economic and social environment have powerfully influenced another set of administrative functions which, in America, have almost without exception been considered as the peculiar and exclusive province of local activity, such as sanitary and educational affairs, and more especially highway administration. In

both of these classes of administrative activity may be traced a sharp and decided movement toward the restriction of local power,—in some cases the mere establishment of a modified central control, as in educational and highway matters; in others the total exclusion of the local bodies and the introduction of a highly centralized administrative hierarchy, as in the administration of the factory and mining legislation and, partially, the game laws, etc. There is in other words a definite impetus toward the complete centralization of certain activities and also a well-marked tendency toward the establishment of a state administrative control over the local bodies to a degree heretofore unknown in America.

The question of centralization, or of central administrative control then, is squarely before us, at least in the more highly developed of our American states, and we may therefore seek some light upon our own problems by examining the solutions which this question has received in Europe. Our attention will be directed to England whose administrative organization may, perhaps, from the American standpoint be regarded with the greatest interest.

English administrative institutions have long stood before the world as the classic model of local autonomy. English ideas of government have spread to all parts of the globe, resulting, wherever they have taken root, in the formation and growth of states whose local administrative subdivisions in their turn enjoyed a high degree of local independence and activity. The performance by the parish, the town, the county and other local bodies, of an unusual share of state functions, and the comparative freedom of these distinctively local units from central administrative interference or control, seem to be cardinal principles of the English system of administration. This notion is especially prevalent on the Continent. One eminent authority, Professor Gneist, has even gone so far as to declare that the English parliamentary system is inseparably connected with the peculiar

form of local government* existing in England, and that this fact is plainly demonstrated by the experiences of those Continental countries which have sought to imitate the English Parliament in their national representative assemblies. Leaving this aside for the moment, however, it may safely be said that a high degree of decentralization has always appeared to be an essential characteristic of the method of government practiced all over the world by English-speaking peoples.

Since the beginning of the present century, however, certain most important internal changes have been wrought in the character of England's local organization, and these changes, while tending toward a further development of local institutions, have also been marked by a most pronounced and unmistakable tendency toward centralization. A few words will suffice to explain the causes of this development. On the Continent we find that the formation of the two most important western states, France and Prussia, resulted, in each instance, from a long and violent struggle between the crown and the nobility. In this struggle the king finally gained the ascendancy. In order to win this position, however, as well as to secure it firmly when won, the monarch, in each country, found it necessary to organize a highly centralized bureaucracy. This civil army, whose members were forced to render unquestioning obedience to the monarch's every wish, controlled every important function of state activity from the central ministries down to the smallest communes. Thus, by means of this formidable administrative hierarchy the opposition of the independent cities and of the lesser nobility was crushed, and the power of the king extended. In this way

* Professor Gneist saw in the extended functions and activity of the justice of the peace, and in the fact that the latter was an honorary office, the distinguishing characteristics of the English system. He maintained that not only historically, but also at the present time, the English Parliament was essentially based on these features of the local organization, and that the changes in the latter, which we are about to describe, were entirely out of harmony with the true historical development.

also the absolute monarchy arose and in its rise gave birth to the state from which finally, were formed the highly centralized administrative systems still existing at the beginning of the present century.

In England, the conflict did not result in a victory for the monarch, and this difference in the historical development accounts not only for the more substantial growth of the parliament, but also for the extreme decentralization of the English administrative organization. Had the crown been victorious in its long conflict with the nobles there can be no doubt that a centralized organization similar to the systems of Louis XIV. and Frederic William I. on the Continent or to that introduced by William the Conqueror, would ultimately have arisen also in England. True it is that at certain epochs England enjoyed the advantages flowing from the rule of aggressive and powerful monarchs; yet the work of these latter cannot be compared with the remarkable rôle played in nation-building by the monarchs of Prussia and of France. The main element of strength in the English administrative organization at the close of the last century lay, not in the power of the monarchy, but in the consummate skill and political training of the governing classes. This political training, however, had arisen from centuries of practice and exercise in the active duties of local administration. The governing classes, in other words, as Gneist remarked, had long been accustomed by local activity to place themselves in a position which is so necessary to the proper conduct of administrative affairs. They were accustomed to thinking and acting for the people. The local administrative bodies in the hands of men with such political training did not require constant direction, stimulation and assistance from the central government; on the contrary, they acted spontaneously, independently of the crown, and often in opposition to it. However, this system of local organization was pre-eminently an aristocratic one. The various local units acted,

it is true, independently and spontaneously. But this spontaneity was not, in any sense, the spontaneity of a popular or democratic organization; it resulted rather from the administrative activity of the landed aristocracy and gentry in the offices of justice of the peace and other honorary posts. These unpaid officials, who were appointed and not elected, and who enjoyed therefore some degree of independence of local influence or, as it would perhaps be better to say, who guided and formed public opinion in the locality, had gradually absorbed nearly all the more important functions of local administration. The great mass of the people however took no active part in local affairs. Yet such was the efficiency of the local administration as carried on by the landed gentry that no serious discomfort seems to have been felt until the beginning of the industrial revolution. It is necessary to keep this in mind.

The later movements and changes whose nature and importance it is our object to consider, may be summarized as follows:

1. The transfer of all the more important functions of administration from the justices of the peace (the representatives of the class which hitherto had carried on the local administration) to other organs, thus leaving the former a judicial rather than an administrative competence.

2. The disintegration of the administrative power so transferred and the distribution of its various parts among new organs specially created for the purpose of receiving these powers, resulting in what is usually termed the specialization of local functions and local organisms.

3. The dependence of the newly created local offices and boards upon popular election, or what might well be called the popularization of the local organs.

4. The transfer to the central government of far-reaching powers of supervision, direction and, in some instances, of active intervention in these matters of purely "local"

concern, thus giving rise to an important degree of administrative centralization.

It need hardly be recalled that this whole series of administrative changes formed an essential part of the great reform movement of 1834 and of the succeeding years, a movement which had for its prime object and final result the extension of political rights to still wider circles of the people. That such a connection did without doubt exist between the political and the administrative reforms is evidenced by the fact that one of the most important effects of the administrative changes may be seen in the increased dependence of the local administration on the popular will and in the greater co-operation and participation by the people in the local affairs, a change that has been termed the popularization of the local bodies. The outlines of the great political movement just mentioned are familiar to all. Suffice it to say, that the invention and perfection of various kinds of machinery and the consequent rise of the factory system had produced sweeping changes throughout the industrial world, that corresponding social changes had immediately followed and that, finally, a considerable conflict of interest between the capitalistic and laboring classes had already made itself distinctly felt. Industrial laborers found themselves reduced to such a condition as to give apparent confirmation to the theories of Malthus, and, later on, to the doctrine of the wage fund. It is by no means strange that in this dire extremity the state was looked to for relief, and that such measures as a reform of the poor-laws, a regulation of the constantly growing factory evils, and the establishment of a general system of elementary education by the state were advocated. The cause of the working classes was, in addition, much strengthened by the rise of large industrial centres in localities until then deprived of adequate parliamentary representation. The first step in the reform, a conservative enlargement of the electoral lists, being once

taken, and the manufacturing towns having received their share of representatives in parliament, the social legislation followed of necessity. After the political reform bills came a series of reform laws on the subject of poor relief, factory inspection, health laws, and laws providing for the organization of a system of public schools. The promoters of this legislation, however, were, from the very outset, confronted by the question of administrative organization. Had they been Continental legislators they would doubtless have devised some general plan for the reorganization of the entire system of local government to meet the changed social conditions. Being Englishmen, they postponed all radical, fundamental alterations of the existing organization and adopted only such changes as seemed absolutely necessary, and at such times as a change appeared unavoidable. Thus we find the period of social and administrative reform in England extending over nearly half a century. It may also be said that the English local administrative organization presents an appearance of patchwork unknown even in the United States.

Let us examine briefly some of the more important of these changes in their concrete forms. One of the first and most important of these finds expression in the law of August, 1834, intended primarily to abolish the notorious abuses of the out-door system of poor relief, at that time administered mainly under the control of the justices of the peace. This method of poor relief, which consists of assistance given in the homes of the poor, had resulted in the most pernicious consequences. Since the able-bodied as well as the impotent received subsidies, employers were enabled to pay minimum wages, the parish footing up the rest. At the same time the habit of receiving public support had robbed the laboring classes of all ideas of independence, economy and thrift, while the poor-rate or tax had risen to gigantic proportions. Only one solution of the difficulty was offered, viz., an extension

of the common workhouse system, or "in-door relief," in order that those dependent on public assistance might be supported at much less expense and that certain features of disagreeable publicity might attach to the reception of public support. These institutions of public charity however could not under normal circumstances be established in each parish because of the increased financial burden thereby entailed. It became necessary, therefore, to seek some larger administrative unit for the support of the workhouse under the system of in-door relief, and this problem was solved in the law of 1834, by the formation of "unions of parishes." Each union, composed of several parishes, varying in number according to population, established and maintained its workhouse, conducting its administration by means of a board of guardians. The latter may be said to have absorbed all the more important functions of poor-relief. The part played by the single parish was still further diminished in 1868, and so remained until the law of 1894, whose provisions will be discussed when reached in the chronological treatment of the general subject.

The union is presided over by the board of guardians who are elected for from one to three years, usually three. Women may be electors and are also eligible to election. Other officials in the union (relieving officer, clerk, director of workhouse, physicians, etc.), are either elected by the people or by the local board. These provisions of the earlier laws seem on recital to be most natural and even common-place, yet they involve all the more important features of the subsequent changes. The laws cited transfer important powers of local administration from the justice of the peace. Again, the vesting of these powers in an elective board marks the establishment of a system of local administration which was dependent directly on the popular will as expressed at periodical elections and secured the co-operation of a large number of citizens in the management of local affairs. Lastly, we may discover thus

early the first signs of a remarkable and uninterrupted movement toward the establishment of a central administrative control over the local bodies.

The law of 1834 provided for the establishment of a central office composed of the Poor Law Commissioners (in 1874 the Poor Law Board), which should be charged with the control and direction of the administration of the poor laws as carried on by the local unions. The organization and powers of this central board will be taken up in due order; in passing, it is important to note that these early laws were decisive in determining the tendency of the later legislation. What followed was merely the further development of the principles already laid down, and their application to the organization of other and different fields of local administration. Thus the act of 1848, and subsequent laws, provided for the organization of special sanitary districts, administered in like manner by elected boards with the aid of subordinate officials, health officers, inspectors of nuisances, etc. These boards also are dependent upon popular election, receive no pay and serve for a comparatively limited term, usually three years. Women may vote and are also eligible to these offices, but the elective franchise, as in all local elections, presupposes a nominal property qualification. The legislation of the years named also provided in its turn for the establishment of a central directory or supervisory office called the Board of Health which was charged with the execution of the various "public health" laws. By this means a close supervision by the central authority of the workings of the various local sanitary districts was established. There had thus arisen two entirely new central authorities, the Poor Law Board and the Board of Health, endowed with extended powers of supervision and control over the activity of the local bodies in their respective fields of administration.

The next step was the consolidation of these two central boards in 1871 into a sort of department of the interior

called the Local Government Board. This consolidation afforded not only a more practical and convenient grouping of the central organization, but also especially strengthened the central power in its relations with the local bodies, and thus increased the already existing tendency toward administrative centralization. A similar movement became noticeable in the administration of highways, which was carried on partly by separate highway districts, and partly by the existing sanitary districts, but usually, under the control and direction of the central authorities.

A still more striking example of the irresistible movement toward centralization which was sweeping over all departments of the English administrative organization at this time may be seen in the field of public elementary education. About 1833 the parliament voted certain subsidies to the schools of the two most important educational societies of that time. These subsidies continuing and increasing from year to year, it was decided in 1839 to form a central office or committee in the privy council for the purpose of deciding upon the amount and distribution of the money so appropriated. In 1853 another and a most natural step toward the extension of state control was taken by requiring conformity to certain regulations that were prescribed as a condition of the grant of the subsidies. Inspectors were then appointed by the central committee to report as to the observation of the prescribed regulations on the part of the schools thus benefited. In 1861, the committee of education decided to stipulate certain examinations and to prescribe a certain definite standard for the subsidized schools. In 1870, a still further extension of central control took place. Up to that time the central committee had acted merely as a dispensing agency for the parliamentary appropriations and in this way alone had been enabled to annex certain conditions to each grant of financial assistance, but it was now definitely charged with the establishment and maintenance of an efficient system

of primary education. To this end the committee was also, empowered, in cases where an adequate standard could not be maintained by means of subsidies to private schools, to establish public schools. These public schools then gave rise to still another administrative subdivision, the school district, which was placed under the immediate care of a school board. Finally, in 1876, compulsory attendance was introduced and for this purpose special attendance committees elected in each district.

The local public schools are supported principally by district taxation; the practice of granting important sums of money to both the private and public schools from the central government is, however, still maintained. In this respect the powers of the central authority, the committee on education, have not changed; its powers of direct control and supervision over the public schools, on the contrary, have increased to such an extent as to illustrate most forcibly the progress of administrative centralization in this important field of state activity. It should be mentioned that the school districts often coincide territorially with unions of parishes, boroughs or sanitary districts (local government districts, as they are called), but that even in such cases the administrative organization is, as far as possible, kept separate.

There now remain but two important measures to be described in order to complete this somewhat brief outline of the movement which began in 1834; these are the law of 1888, providing for the reorganization of the county and borough, and that of 1894, concerning the re-establishment of the administrative parish. The two measures named are the most important of the entire series of legislative acts on the subject that have been passed since the initial law of 1834. Not only do they bring to a close the great movement toward centralization whose portrayal is the object of this sketch, but they also mark the definite return of that spirit of local autonomy and decentralization in administrative

matters which has always appeared as an essential factor in the English political system. It may be said, therefore, that with these two acts, that balance of powers between the central and local bodies, which is the crucial point in all methods, of administrative organization has once more been restored in England.

The law of 1888 was based primarily on the desire to extend to the county organization those principles which were already embodied in the acts creating or organizing the other local bodies. The most important of these ideas were, as we have seen, the establishment of an effective control by the central government, the co-operation of wider circles of the people in the conduct of local affairs and the increased dependence of local administrative officers upon the will of the people, or, expressed more briefly, the centralization and "popularization" of the administration. Previous to 1888 almost the entire county administration was in the hands of the "quarter sessions," a court composed of the justices of the peace in the county. The new law simply divided their judicial from their purely administrative functions and transferred the latter to an elected assembly, the county council, in imitation of the borough organization. This left the sessions of the justices of the peace with a judicial competence. The newly created administrative council is mainly a deliberative body; its resolutions and ordinances are executed by the board of aldermen, a committee elected by the council from its own members. Beside those functions more properly belonging to the county administration, the council and aldermen are also given certain powers of control and supervision over the subordinate districts, parishes and unions within the county limits. The council may approve parish loans within certain limits, may itself lend money to the parishes, may grant subsidies to districts for highway administration, may fix the number of councillors in a parish, etc. In its turn, however, the county organization has

been directly subordinated to the central Local Government Board and other central authorities in their respective fields. Finally, the law of 1888, contains a provision of the highest importance to the effect that the Local Government Board, if it sees fit, may transfer to the county still wider and more extensive functions of local administration, and may transfer even such powers as are within the competence of the various secretaries of the central government, of the central committee of primary education already mentioned, of the central Board of Trade or of the Local Government Board itself. It is true that in all these cases the approval of Parliament is necessary, yet in practice the Local Government Board, in the numerous instances which require its attention, has acted with such mature deliberation and with such a thorough knowledge of the case that its recommendations are almost invariably adopted without hesitation.

Before discussing the organization and activity of the Local Government Board, it will be necessary to dwell for a moment on the last of the series of laws intended to effect the reorganization of English local government. The parish was gradually shorn of all its most important functions by the legislation already described. The union of parishes had absorbed the more essential powers in relation to poor-relief, the county had been given the control of the local police by the law of 1856, sanitary or "local government" districts had been created for carrying into execution the laws relating to the public health, and, in numerous instances, highway districts had been created for the maintenance of roads. The parish seemed to have lost all vitality and importance as an administrative unit. The great disadvantages of such a condition are evident. The parish, or commune, as a centre of local life, forms a natural basis for an administrative organization and this fact has been recognized in the local institutions of all modern countries. The chief importance of the act of 1894 lies in its successful

rejuvenation of this, the fundamental unit of rural administration. The well-known, superannuated parish vestry of former times was supplanted by two new bodies,—by the parish meeting, composed of all electors and based, in its internal activity, on the democratic principle “one man, one vote,” and, in parishes with a population of 300 and over, by an additional parish council, of from five to fifteen members elected by the meeting. The more important powers and duties of the parish organization are: taxation, within certain limits fixed by law; loans, when approved by the county board if within certain limits, by the Local Government Board if above those limits; the supervision of charitable institutions within the parish; the surveillance of certain conditions affecting the public health; the adoption of such general laws as have been subjected by Parliament to local option, e. g., regulations of police, lighting, public baths, libraries, burial places, etc.

Although in many of these provisions the element of central control is strongly developed, as, for instance the fact that the sale or exchange of parish realty requires the approval of the Local Government Board, yet there is a marked and definite measure of decentralization shown in the general trend of the law of 1894 as well as of the act of 1888. Without doubt a return to the period of extreme local independence and self-sufficiency is of necessity entirely precluded. Nevertheless by utilizing that most natural of all foundations, the physical fact of close proximity and daily contact and communication of citizens with each other, as a basis on which to build, or rather to rebuild, the parish as an administrative unit, a decided strengthening of local institutions and a corresponding increase in their practical importance has been secured. Again, while adequate provision for central control, direction and supervision has been made, it has nevertheless been possible in consequence of the acts of 1888 and other years to infuse new life, vigor and efficiency into the

organs of local administration by transferring to the local bodies on the recommendation of the Local Government Board such administrative powers as are not considered essential to the central government.

The legislation thus far outlined, involves an enormous increase in central power, and has brought with it important additions to the organization of the central government. The new administrative machinery which has thus resulted, though somewhat complicated in detail, is yet comparatively simple in outline, and is remarkably well adapted to the peculiarities of the system. Aside from the cabinet secretaries, who exercise a control over their respective fields of competence, and the committee of primary education already mentioned, the main part of the work in the central organization falls to the Local Government Board.

The origin of this body has already been traced to the consolidation, in 1871, of the central Poor Law Board with the central Board of Health. The new board resulting from this union consists nominally of a president appointed by the Crown, the President of the Council, the Chancellor of the Exchequer and two others, usually members of the Cabinet. As a rule, however, the functions of the board are performed in practice by the president and two paid secretaries. In addition there is of course a host of subordinate officials, legal counsel, assistant secretaries, inspectors-general, inspectors of local finances, of work-house schools, district auditors, sanitary engineers, medical officials and other technical specialists.

In establishing any system of central administrative control over local bodies the question naturally arises, how is a satisfactory connection to be secured between the central authorities and the local organizations? Two general methods of securing this end were at the disposal of the English legislator; first, that in vogue on the Continent, which consists in the establishment of intermediate or

“provincial” offices, which transmit the instructions and regulations of the central authorities to the local organs, and are charged at the same time with a sort of guardianship over the local bodies; and, second, the establishment of a corps of commissioners and inspectors who keep the central government constantly informed as to the condition of the local bodies, examine local finances and accounts and report on the efficiency of local administration in all its more important details. The Anglo-Saxon looks with no great favor upon a carefully adjusted, symmetrically constructed administrative hierarchy. Nevertheless the relations of the Local Government Board to the county and of the county to the unions, districts and parishes would seem to show some slight influence of Continental and more particularly of French administrative ideas in England. In the main, however, the burden of this task of maintaining a central control over the local administration falls upon machinery organized according to the second method above mentioned. Inspectors, auditors, commissioners are sent out by the central offices to investigate and report on administrative affairs in the various localities. The reports of these agents as well as their recommendations are then made the basis of action taken by the central board.

This may best be illustrated by a brief reference to the powers and activity of the Local Government Board, and its methods of procedure. One of the principal functions of the board is, the approval, rejection or amendment of local by-laws. Again, in the administration of the poor-laws the control and supervision of the central board are especially important and far-reaching; both general and special orders and instructions are issued to the various unions; the composition of meals in the workhouses, the hours of rising and retiring, the hours of work, etc., have all been touched upon more or less in detail by these regulations. The regulating and supervisory activity of the board extends then, in effect, not only to the approval of measures

taken by the local bodies, but also to the issue of positive regulations on its own authority. Under this last-mentioned category would come also those measures taken by the central authority in case of epidemics threatened in wide sections of the country; here the board issues rules relating to ventilation, disinfection, burial, etc.

If we were classifying the functions of the board it would be necessary to place in a third category those important powers exercised in connection with parliamentary acts intended to change the organization and functions of particular local bodies. This special legislation, as it is called in America, is in all cases referred to the board before any legislative action is taken. The board subjects the proposed bill to a critical analysis, orders a thorough investigation by its inspectors and finally, on the basis of the information thus secured reaches a conclusion on the questions involved. This conclusion is then embodied in a formal recommendation to parliament. Such a case illustrates clearly the practical operation as well as the importance of the administrative machinery intended to establish a connection between the central offices and the various localities. A more typical illustration may, however, be seen in the second category of powers above mentioned, viz., the issue of positive commands and injunctions by the board itself. If the parish meeting or council refuses to vote adequate taxes for the purposes assigned by law the local government board may at once intervene and order the amount to be raised; if a parish authority should go so far as to persist in its disobedience to the law, the central board may appoint some person to levy the required taxes and superintend their expenditure for the purposes of parish administration. Somewhat similar powers over the unions of parishes, districts and other local bodies are conferred on the board. Further, each local organization is visited by inspectors of finance and auditors who examine and audit the local accounts at least once, and in some cases twice,

each year. In addition to this there exists a rigid inspection of the local districts, by special medical and school inspectors.

The objects of this organization are to compel the execution by the local bodies of those duties committed to their care, and, to prevent these same local bodies from exceeding the legal limits of their power. Without such a control by the central authority it is not at all improbable that the local organizations, composed of elected boards and councils, and feeling no responsibility except to their electors, might frequently become unmanageable, thus rendering futile for a considerable length of time all efforts to secure a harmonious and efficient administration of local affairs. The central thought of the legislator has been that local administration, though concerned primarily with matters of local interest is nevertheless rapidly becoming of such national import as to render necessary the establishment of a moderate but efficient central control. For this reason, and in the way above described, a practically continuous supervision of the local by the central organization is firmly established and this, too, for the most part, without the aid of those cumbersome and time-consuming intermediate bodies so much in vogue on the Continent.

This description of the organization and powers of the local government board ends our sketch of the historical development of centralization and of its accompanying changes in the administrative organization of England. It must be remembered that in practice the organization is by no means so symmetrical as would appear from the outline just given. There are urban and rural sanitary districts, each with different powers; there are districts and unions of parishes which coincide territorially; finally, numerous changes in the organization and powers of particular local bodies have been introduced by special legislation. Certain important changes have also occurred in municipal organization, particularly in the borough; the character of these

changes, however, has not been essentially different from those that have taken place in the rural bodies. It may, be said that these variations in the local organization though confusing to the student of the English system, by no means affect the conclusions at which we have thus far arrived.

The conclusion of the foregoing study is that there are three general periods in the development of the present organization of local administration in England:—

First, that of the struggle between the crown and the nobles, in which the latter were victorious. By this victory the nobles gradually secured control of the local administration, and this control was subsequently transferred in part to the landed gentry. This is the period of extreme and aristocratic decentralization.

Second, following on a radical change in economic and social conditions, there comes a fundamental political reform, which leads also to the establishment of new organs of local administration more directly in sympathy with the people. At the same time, a marked and important extension of state activity takes place and the great importance of the new duties thus confronting the local bodies renders necessary the establishment of a strong central control. This period, lasting from 1834 to the present time, may be looked on as the era of centralization and popularization.

Third, in the laws of 1888 and 1894 may be found signs of a new tendency. The re-establishment of the parish, though under central control, has led to a comparative strengthening of local institutions. Similarly the transfer from the central to the local organization of those powers not deemed essential to the maintenance of an efficient central control marks the definite close of the era of centralization.

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THE PHILOSOPHICAL BASIS OF ECONOMICS:*

A WORD TO THE SOCIOLOGISTS.

This paper is a study in social causation. Its aim is to show that the acts of men in society, social institutions, and social changes are the creation of the choices of individuals. Individual choice, however, is governed by the economic law—greatest satisfaction with least sacrifice; greatest utility at least cost.

The fundamental and general science of man's activities, therefore, is economics. Economic science, if it would fill out its legitimate scope, must follow the workings of the

* The following is a summary of the argument: INTRODUCTION.—*The Problem*—The nature of social causation. *Theses*.—1. The sociological point of view wrong. Social causation is psychical, and psychical processes are acts of individuals. 2. The economic point of view correct. The principle of utility or economic selection, the universal law of social causation.

I. *The Psychological Nature of Man's Activities, Both Individual and Social*.—1. Neglect of psychical phenomena by modern science. 2. Reality of psychical phenomena and their separateness from physical phenomena. 3. To deny this reality and this separateness is to deny the possibility of knowledge, for they rest upon the common basis of all knowledge—the unproved but universal assertion of individual minds. 4. The human will as cause.

II. *The Individualistic Nature of Psychical Activities: Social Organization Created by the Individual*.—1. The integrity of the individual universally attested by consciousness. 2. The individual in his three-fold environment; (a) self, (b) social environment, (c) physical environment. 3. The individual, by following his individual choices, creates social institutions and social activities.

III. *Utility, i. e., Economic Selection, the Law of Individualistic Activities: Social Causation Teleological*.—1. Utility, the general principle of individual choice in all activities, whether for preservation or development. 2. "Fitness," as the law of physical evolution, identical with "utility," as the law of psychical evolution. 3. Utility, the principle of economic choice.

IV. *Economics, as the Science of Utility, the Master Science of Psychical Activities*.—1. Relativity of classifications of the sciences. 2. Sciences, physical and psychical. 3. The grouping of special sciences under a master science. 4. Economics as the science of the fundamental principles of psychical activity, is inherently the master science of society.

V. *Sociology, One of the Special Economic Sciences*.—1. Tendencies of sociology and economics contrasted. 2. Sociology not a master science of psychical activity. (a) Its physical point of view unintelligible in a psychical science. (b) Its personification of "society" erroneous, involving negation of the individual. (c) It cannot include individualistic sciences such as economics. 3. Sociology, in fact, the science of social organization, and social organization is a process of economic selection.

economic law into all the lines of man's choice and into the formation and change of all social institutions. The self-conscious, self-willing, self-acting individual is the unit of investigation. Social causation must be traced along lines of psychical not physical forces. Society itself is the creation of choice and choice is always essentially economic. In other words society must be studied primarily in its relation to individual mind—not in its relation to the physical cosmos.

The principle of evolution by which the natural scientist explains the processes of physical change becomes the principle of utility when the processes of social change are involved. Physical processes are fortuitous, unplanned. Man's activities are teleological, economic. In the former, the adjustment of part to part, the "fitness" which survives, are unarranged and unforeseeable; but men foresee and fore-ordain adjustment between their environment and themselves. The principle of utility, as it has been worked out in economic science, is thus simply the principle of evolution seen upon its psychical side—teleological evolution. "Economic selection" expresses the evolutionary process of psychical life.

That science of men in society which undertakes to apply to human activities the physical form of the evolutionary principle rests upon fallacies. Current sociology does not, in general, make man's activities intelligible.

It is, then, to economics, not to this sociology, that we must look for the explanation of social evolution.

I.—THE PSYCHICAL NATURE OF MAN'S ACTIVITIES, BOTH INDIVIDUAL AND SOCIAL.

The science of this century is distinctly physical science. Its results have been mainly achieved by the systematic and widely organized labor of a large number of specialists who have observed and collated facts. The typical scientist is apt to regard any study which does not proceed by first

hand observation of single facts as "metaphysical" and untrustworthy. He scorns philosophy and deductive thinking. He pushes his distrust of the psychical to the extreme of studying only the physical. Matter and its activities are to him the only reality, and no method of research is reliable except induction. Philosophy is a mere figment of the brain. True science sees with eyes, hears with ears, feels with fingers, rests only on tangible evidence. Primary sensations are the only raw truth; inductive arrangement of these the only trustworthy mode of thought.

This tendency of modern science to deny reality to the psychical world, and validity to any but physical tests of knowledge involves a radical fallacy. Rigorously followed out it compels denial of the possibility of knowledge.

All sensation, so far as it results in knowledge, is a judgment of mind, *i. e.*, a psychical phenomenon. The only ultimate criterion of truth for men is the agreement of men's judgments. This is a psychical fact. The postulates of every science are simply concepts universally held, and concepts are psychical facts. This universal agreement may not create the fact, but it is the only final test of the existence of the fact. It creates the *known* fact. Science itself, therefore, is a psychical creation.

The beginning of all knowledge is the recognition of the reality of the individual mind—the *Ego*. If the validity of the primary judgments of this *Ego* be not granted, there is no warrant for the validity of any science. The reality of the physical world is attested by weaker evidence than is the reality of the psychical world. Rather, be it said, the reality of both rests upon the same primary judgment of the *Ego*. The primary assertion "I see," affirms the reality not only of the "seer," but also of the "seen."

Science, then, to get any basis for itself must recognize the reality of the psychical fact—the *Ego*—and the validity of its primary judgments, likewise psychical facts.

This psychical *Ego*, to deny whose existence is suicidal to

science, is the source of various other psychical phenomena which science must study, if it would be consistent. The *Ego*, or the individual mind, thinks, dreams, sings, builds houses and temples and systems of theology. It works in association with other minds, like itself, and produces laws and a political organization and various social institutions. It changes the flora and fauna of the continents. It plans and shapes the destinies of other men. These are all phenomena as real as the flora and the fauna themselves. Yet they are psychical phenomena, neglected by the positive science of the age. The reality of this world of psychical phenomena is attested by the same evidence which science accepts in the case of physical phenomena, the primary assertions of mind.

Scientific research is a sort of legislative process, consisting of the work of investigating committees, general debate, and vote-taking. A majority-vote gives only tentative certainty to scientific "laws." A real "truth" requires practically a unanimous vote. And every promulgated law is liable to change at the next vote. If it were the persistent conviction of ten men in every hundred that two plus two do not equal four, we could not have absolute certainty as to the proposition.

Modern science is not different in its real methods, or in its ultimate tests of truth from the earlier philosophies. It is more careful to eliminate "personal equation." But its great superiority is its democratic character. It seeks so to trace out the line of causation, through the complexity of the whole, into the simple concrete fact, that the relation of this fact to the whole becomes self-evident to all. It is paralleling in the realm of knowledge the march of modern democracy in the state, greater complexity in the mechanism as a whole, greater simplicity in the concrete detail. All scientific laws rest ultimately for their validity upon the affirmative unanimous vote in a universal referendum. Upon all established principles of science a thought universally

appearing is true. Otherwise the postulates of science, its primary facts, may be false.

The same conclusion is reached by assuming the standpoint of extreme materialism, viz., that psychical phenomena are purely and essentially material. Thoughts, thus, are phenomena of matter to be explained by the same laws of causation. A thought is a judgment as to the reality of some thing. As the cause of a reflection in a mirror is the existence of the thing reflected, so the cause of the thought is the existence of the thing thought. Universal thoughts can be explained in no other way. If thought is a necessary product, a universal thought must be a correct thought. This is a *reductio ad absurdum* of the materialistic premise; for the one universal thought is the assertion of the existence of the *Ego*—the psychical individual—and with him the affirmation of various other truly psychic phenomena. The inevitableness of the assertion of mind that the *Ego* exists as a psychic entity, a soul, is the supreme proof of the existence of this soul.

Besides the reality of the psychical world which is thus proved another fundamental primary judgment must be emphasized—namely, the separateness between this psychical world and the physical. To say "I know" asserts the separateness between the knower and the known. The separateness between the physical and psychical, their antithetical character, is asserted by the universal judgment of men. To deny it then is to cut the ground from under all knowledge. Universal thoughts are scientific truths.

In these last years, science has begun to recognize its former unscientific neglect of psychical phenomena and is rapidly directing research into religion, folk-lore, language, arts, customs, governments, industries, and other subjective activities of men. In these efforts, however, science has shown a dangerous tendency to use methods, and to assume points of view characteristic of physical science. This is essentially unscientific. It must be recognized that in studying

characteristic human activities, whether individual or social, we have a new order of facts essentially different from the physical. The distinctively human activities are psychical. Mind is the dividing fact between these two orders of phenomena. Mind acts as a self-conscious, self-willing, self-acting force. It chooses ends and uses means to reach these ends.*

Psychical processes are thus directed by mind toward chosen ends while physical processes go on, independently of any discoverable teleology. Whatever may be the fact as to teleology in the physical world, man's activity is essentially teleological. Science must recognize this fact and must study human activities, not as physical phenomena, but as psychical. Science cannot explain the existence of a railroad in the same manner that it explains the existence of a river. The forces which produced the railroad are not explicable by physical laws. A railroad is a psychical institution. It is a complex of physical forces, it is true, viewed simply upon its mechanical side, and as such can be studied by the physical scientist. But as a railroad it is psychical, and is the outcome of teleological activity. Individual men, conscious of wants inadequately satisfied, have co-operated in making such transformation of physical forces, and such adjustment of human activities that a railroad is produced. Causation in case of the railroad is essentially of a different order from causation in case of the river. The active or efficient cause is the human will.

Niagara may be studied by both physical and psychical sciences. The physicist and the geologist both explain it as a complex of physical forces, irrespective of the existence of mind. The artist, the politician, and the economist, on the other hand, inquire, its physical properties being what they are, how it may be teleologically transformed to serve the conscious ends of life.

*This distinction between the psychical and the physical is well expressed in James' "Psychology," where he asserts: "The pursuance of future ends and the choice of means for their attainment are thus the mark and the criterion of the presence of [mind]."

These psychical sciences are as clear in their scope as are the physical sciences. Mind is no more elusive a fact for science than "matter" or "force." The modern text-books of chemistry and of physics show the same incapacity to state what is the real subject matter of these sciences as do our economic text-books. Not "beginnings," but "processes," has become the watchword of all science. The relative vagueness in economics and other psychical sciences is due not to greater uncertainty as to postulates, but to the greater complexity of phenomena.

What then is most emphatically demanded in the sciences which study men in society, is the clear realization of the reality of subjective phenomena—the same reality recognized by us all in practical life. Public opinion is as real a barrier to crime as is physical force. The politician recognizes that a vote, which is a mere utterance of individual opinion, is a real thing—as real as the stones in the legislative hall. The subtle motives of men which lead them to vote as they do, are measured and directed by this politician. These votes, these motives, are real things, and science must appreciate this as well as the politician.

We are perfectly aware of these psychical realities in the midst of which we live,—public opinion, law, custom, social institutions, traditional morality, courtesy of friendship and of business, customary prices—facts all—intangible creations of the minds of the members of society. The student of political and economic science must likewise get this practical grasp of the fact that these things which make society are psychical forces and no less real than the physical.

All factors in a result are causes, and the human will which organizes physical and social forces to achieve certain results, is clearly one of these causes. Moreover, since it is the one cause which differentiates psychical processes from physical, it is imperative to write psychical causation in terms of human will. The efficient cause is man's choice. To make social activity intelligible to us, therefore, science

must so explain it. To explain the Tower of London by the same principle of causation as the river Thames—as the unexplained fortuitous result of physical forces—contradicts the universal affirmations of consciousness. Science must conform to the nature of the human mind and must thus explain human achievement as to the teleological result of forces guided by human intelligence. Man's will thus becomes the dominating element in social causation.

II.—THE INDIVIDUALISTIC NATURE OF PSYCHICAL ACTIVITIES: SOCIAL ORGANIZATION CREATED BY THE INDIVIDUAL.

It has been shown that the social forces are psychical in nature. It is necessary to show that psychical forces proceed from the acts of individual minds, and how, upon this individual basis, the structure of society is built up and social activities are carried on.

The recognition of the existence and the integrity of the individual is the beginning of all knowledge. "*Cogito, ergo sum,*" expresses the fundamental truth of science. "*Volo, ergo sum,*" is equally true. The *Ego*—its integrity—and its psychical nature are the best evidenced of all facts. Bound up with the consciousness of self-existence is the consciousness of the power of self-choice and self-action. The power of the individual through his will, causally to shape change in the processes of the mind, is as clear to the consciousness as is existence itself.

The individual with his wants, his choices, and his self-directed activities, is the starting point in the scientific investigation of social phenomena and the end of all social science as well. The reason for this lies near at hand. Since human choice is the large, the controlling force in social causation, we must perforce take the individual as the integral unit, for there is no choice, but individual choice. The term "social will" is an acknowledged metaphor.

Starting thus, an analysis of the relations of the individual

becomes necessary. The individual recognizes himself in a threefold sphere of relations, viz., (1) to himself, (2) to others like himself—the social environment—and to (3) his physical or cosmic environment. The psychical sciences express this analysis. Jurisprudence, for example, studies the operation of the individual will in relation to the individual himself, in relation to other persons, and in relation to things. Psychology, likewise, treats of the individual mind as having knowledge of itself and of the external world, consisting of other minds and of physical nature. In ethics, also—the science of ultimate harmony in choice—the relations of the individual will are studied with reference to harmony with itself, with other wills, and with the Absolute—the whole non-human world.

Economics, like all the psychical sciences, rests upon this fundamental antithesis between the subjective and the objective view of the world. It studies the relations of the individual regarding the satisfaction of his wants, in utilizing himself, society, and nature. The traditional economics has dealt little with the individual's economic utilization of himself. The satisfaction which a man feels with his own mental and physical powers, the pleasures of athletic exercise, the self-contemplation of the religious devotee, are, however, economic satisfactions and would have place in a complete system. Man's utilization of other men has, likewise, been very inadequately treated by economists. "Society" is a great field for economic exploitation by the individual. Direct personal service is an instance of the economic utilization of some men by others. When the president of a railroad finds that the production of a crop of laws is one of the most profitable uses to which he can apply his undertaking skill and his capital, the transaction is as distinctly economic as when he puts skill and capital into the physical construction of his railroad. The tramp and the burglar, living as parasites upon the rest of society, are clearly within the field of economic study. Into whatever

region the individual man turns to seek satisfaction for his wants, the economist must follow him and describe and explain what he does. The satisfaction which the friendship of his fellow yields a man is an economic satisfaction. Some men live and work mainly for the esteem they gain.

Society, then, is a part, in a highly developed civilization the larger part, of the external economic world of the individual. Few of us habitually touch nature at first hand. It is through social organization that our lives can be rich. Economic science must study these psychical realities just as the economic man utilizes them in actual life. He cannot assume a social standpoint simply and say that the whole field of economic activity is nature. There is interplay at every point between the satisfaction which flows from physical nature to man and that which individuals draw from direct contact with other individuals.

Economic forces, thus, in their last analysis, find their beginning in the minds of individuals. Individuals feel wants, recognize their environment, judge of the means necessary to attain satisfaction of these wants, value the relative importance of various satisfactions and the disagreeableness of various efforts involved, make choices accordingly and pursue those ends. Whatever be the force of public law or opinion, it stands as an objective fact to the individual, just as real as the laws of the physical world, and must be dealt with by the individual as a part of his environment. It contains sources of satisfaction to him or hindrances to his satisfaction as the case may be. The market price of food may force the hungry man to starve close to full storehouses of food, just as truly as if he were five hundred miles from food, adrift on the barren sea. This market price has importance solely with reference to its effects upon individuals. And again, this market price, while an objective fact to every individual as regards his personal wants and their satisfaction, is itself resolvable into the valuations of the individual minds making up the

market. There is no such unity in society that we can speak of a social will, irrespective of the individual wills, which decide and move the whole mass. All social action is a resultant of the forces set in motion by individual wills, and science can only explain these activities by tracing them to their starting point in the choices of individuals.

Not only are social activities best explained by resolution into the acts and choices of individuals, but the very structure of society itself—the social groups—must be so explained. The family, for instance, is the result of the choices of individuals. The lines of causation of political and religious groups and institutions run out from individual wills as their starting point. Not only so, but they are maintained and persist only in the persistence of such choices. The state is nothing other than a series of associated choices and acts of individuals. It is only a part of one's self which is present in the state. The state is maintained only as individuals continue to act together in certain relations. In such sense, the "social compact" theory is true. Any explanation of the state which does not find the causes of its existence and its development in the conscious acts of individuals does not find the distinctive nature of social causation. The same country, physically considered, is the home in historic succession of very different nations. The difference is due, not to the character of physical surroundings, but to psychological differences. It is not even biological differences between the North American Indian and the European which have changed the course of history in this continent. It is the psychological differences of the two peoples. Again it is the psychological differences between the Spaniard and the Englishman which have made the latter the successful colonizer of America. Further, at every stage of growth of English settlement in America the form of government, the nature of the political organization, are only to be explained by analysing the facts backward into the choices of the individuals concerned. They have,

at every step, made the state. They have changed it and developed it. A state is thus built out of human choices. Its nature and its fibre are subjective. Political structure is nothing other than a system of habitual choices of the individuals who constitute it. It is nowhere physical or tangible. It cannot be squared to the tests of physical science. The stuff which makes it is the desires and the will of its individual constituents. We understand this as practical politicians. As scientific sociologists we befog it with metaphors about the body politic.

There is no grouping of individuals into family, religious, political, or industrial bodies which merges the wants, the interests, the capacities, the choices, the activities of the individual in the life of the body. Always and everywhere the individual stands alone. The kernel of his life is in himself. The very idiot has an individuality which initiates action upon his part and which the rest of society respects. Not even conjugal love robs wife or man of that egoism which is the larger essence of manhood. All religious and political systems, all associations of men which have not been based upon this eternal separateness and initiatory power of individuals have failed of large progress. That religion and that political philosophy which preach the individual will as the unit of responsibility and the final arbiter—protestant christianity and democracy—are to-day holding in their hands the potentiality and the responsibility of the world's progress.

All consumption is individual. It cannot be "socialized." A painting in a public museum is not socially consumed. Each individual *alone* finds in it the satisfaction of his æsthetic want. All consumption resolves itself into appropriation by the individual of goods fitted for his use. Consumption is a psychical act and as such belongs to the individual.

In law, no other principle than individual responsibility has been found adequate to maintain order. The stability

of civilized society rests upon this principle. In education there is no vicarious acquisition of knowledge. The development and realization of every life rests ultimately upon its own choice. The psychical structures which we call social institutions are simply individual choices hardened into habits. The science of social man must stick closely to this fundamental fact and build upon it.

III.—UTILITY, I. E., ECONOMIC SELECTION, THE LAW OF
INDIVIDUALISTIC ACTIVITIES ; SOCIAL
CAUSATION TELEOLOGICAL.

Is the individualistic explanation of society, found in the classical economy, adequate to explain social evolution? It was the impulse given to scientific thought by the theory of evolution which gave us the "historical school" of political economy and the modern sociology. It is not, however, difficult to show that this principle of evolution wrought out in the physical world has been applied with crude haste to psychical phenomena, and that what is now needed is a simple return to the older economics to find the true principle of psychical evolution. It was Malthus' doctrine of population, indeed, as Darwin himself confesses, which gave the great naturalist the principle expressed in his evolutionary formula, the "the struggle for existence" ending in the "survival of the fittest." Now the essential principle in the Malthusian doctrine of population is that social evolution depends on the choice of the individual in respect to his use of the processes of re-production. Social evolution—its direction and its rate of movement—is dependent on the relative estimation put by individuals upon present pleasure or future welfare. Again the general evolutionary formula of Herbert Spencer, concurrent differentiation of parts with integration of the whole, is nothing more than a generalization of Adam Smith's principle of division of labor. In Smith's treatment is contained the principle that social evolution in material welfare is dependent upon the efficient

growth of division of labor. This evolutionary agency of division of labor is merely the application in complex production of the principle of utility to the individual.

In applying the physical formulæ of evolution to psychical phenomena, sociologists are guilty of unscientific procedure. True science adapts its formulæ to the matter in hand. The physical formulæ of evolution are statements of unexplained fortuitous change. The "fitness" which survives is an unforeseen fitness, an adjustment wrought out in consequence of the struggle. Psychical activities on the contrary are essentially teleological. They are directed to ends. The "fitness" in social adjustments is foreseeable, prearranged. Further than that, this fitness is nothing other than "utility" to the individual. The individual, seeking his highest utility, chooses those means which are fit. The principle of utility is the principle of evolution in the psychical world. The general economic law—the pursuit of the greatest utility with the least sacrifice—is simply the psychical form of the physical law of evolution—the survival of the fittest. The "fitness" of physical evolution is adjustment which enables persistence and growth. Such is likewise the "utility" of psychical evolution. The difference between the two is that the science of physical evolution regards environment as dominant, and speaks of the fitness of the subject to be adapted to the environment, while economics regards the environment as servient, and calls by the name of utility the fitness in environment to be adapted to the subject. Utility is the subjective name for fitness, and fitness is the objective name for utility.

This utility which explains not merely the activities of men at any given time, but their evolution as well is identical in the long run with the utility of the economists. Yet all forms of choice can be expressed by this term. The religious motives of men are measurable against the wealth-getting motive. Practically men decide every day the relative worth of uprightness and wealth, and they decide this upon

the principle of utility, that is, upon the relative amount of want satisfying power in the two courses of action. The quality of the two wants is, of course, considered but the mind finds some means of estimating their value.

College professors have been known to regard the sum of large honor plus small salary attached to a chair in one university as more than an economic equivalent for large salary plus small honor in another university. The Founder of Christianity raises the question whether there is greater profit in gaining the whole world or in saving one's soul. The principle of choice is always the same, viz., the weighing of the relative worth of two courses of action. The analysis of this process of choice has been worked out more fully and satisfactorily by the economists than by any other body of scientists.

This point should receive further elaboration, but let it suffice to say here that all forms of want, æsthetic, ethical, physical, are commensurable as motives in the individual mind. The term want is generic and applies to all human desire. The corresponding term utility is also generic and applies to all things capable of satisfying want. This is the plain fact of life. Our science must recognize it.

Utility, then, as the evolutionary principle, shows itself in the quality of man's choices. If he is narrowly egoistic he finds greater utility in satisfying those desires which are centered in his own person. If he is patriotic he finds more utility in devoting his life to his country's service. Again, if he is short-sighted, he finds greater utility in satisfying immediate wants. If, however, he appreciates the future, he plans far ahead and builds up great social institutions, such as capital, the division of labor, and the state.

The direction of social change depends thus upon the utilitarian choices of individuals, and these choices are in their last analysis economic choices. In other words the economic law—greatest utility with least sacrifice—is the generic law of human activity, both that which is directed

to preserve the status and that which aims at social evolution.

IV.—ECONOMICS, AS THE SCIENCE OF UTILITY, THE MASTER SCIENCE OF PSYCHICAL ACTIVITIES.

The universality of the principle of utility as the determinant in human choice has been established. Utility has likewise been identified with the generic law of economic life. It is necessary to classify the sciences from this point of view.

The separation of phenomena by our consciousness, in its primary judgments, into the two classes, physical and psychical, compels a corresponding division of the sciences.

Since the only function of science is to make the world of phenomena intelligible to men, definition and classification must be relative to the forms and modes of human thought.

The essential form of thought, as we have seen, is the antithetic opposition of individual subject (*Ego*) to object. As the individual generalizes this mode of thought he admits into the category of subject other minds, and thus the general antithesis is reached between Mind and Matter. The recognition, then, of the fundamental difference between the psychical sciences and the physical is the first step in the classification of the sciences.

The physical scientist, with strange inconsistency often proceeds upon the hypothesis that the mind is in some way outside the natural order of things. He sometimes forgets that the nature of mind is the most fundamental fact in all knowledge and imposes itself imperatively upon science. Universal judgments are, then, not negligible phenomena, as he would sometimes have us believe, but are the very warp of science. Conformity to the nature of thought is then the final test of science.

Another principle of classification of the sciences, imposed by the nature of mind, is the grouping of special branches of investigation under certain general sciences. The mind

can understand the multitude of things only by seeing them in synthetic unities, from certain central points of view. The necessity for this appears equally real from the history of science. The multitude of special sciences, for example, which deal with the physical world have been gradually brought into a system under three general or master sciences, physics, chemistry, biology. With the progress of knowledge the master science becomes a body of fundamental principles forming the framework of all the special sciences in its group. The principle of classification is not a division of the field among these master sciences, but rather the assumption of characteristic standpoints. Physics studies all matter in its physical activities; chemistry studies the chemical phenomena of all matter; biology studies matter alive. It is apart from my purpose to define "physical" or "chemical" or "alive," but I wish to illustrate the truth that all these general sciences may study the same facts and that the scope and limits of such sciences depend on the point of view, on the kind of relations to be observed. It is enough that from these three points of view the world of matter is made intelligible to us. The standpoints assumed by these sciences are, to the men of our day, naturally chosen to give a picture of the physical world at once complete, minute and harmonious. The long process of science and philosophy thus gives to every age a co-ordination of knowledge fitted to the intellectual needs of the age. The requisite harmony in the view of the world can only be gained by simplicity in the general plan of scientific classification. There must be only a few general points of view, the relations between which can be easily grasped. Hand in hand with the multiplication of special lines of scientific inquiry goes this synthetic tendency toward the organization of all sciences into systems.

In the psychical sciences, likewise, certain general points of view are assumed, from each of which the whole world of fact can be observed. Here, also, the fields of inquiry may

overlap, and the different sciences may study in a measure the same facts. Each general science, however, has a different set of relations to establish. The aim of psychical science must be to choose such general points of view that the relations between them are naturally understood. In this way the whole world of psychical phenomena may become clearly mapped out and rendered intelligible.

Indeed, it would be found that the same necessity exists of ultimately co-ordinating the physical and the psychical sciences. Both the physical geographer and the economist must study the results of the destruction of the forests by man. In case of the former, however, the point of view is that of the physical development of the earth, mind being studied as a merely physical cause; while the economist takes the standpoint of the economic development of man, mind being studied as a self-acting power which can change its course of action by its own choice, if it judges that the destruction of the forests works greater harm than benefit to man. These two radically opposed points of view may be harmonized by the assumption of an ultimate and essential unity in both orders of phenomena. Man reaches his highest happiness only by conformity to the requirements of this ultimate unity. While the economic man adapts the material forces in the forest to his own uses, he is seen to be the greater economist the more he recognizes the necessity of so limiting his present desires that the forests shall not be prematurely destroyed. In other words, he must adapt himself to the deep lying laws of forest growth, if he would make the largest use of nature. This is the line along which the great questions of economic progress recur. Here lies the heart of the problems of capital, of division and organization of labor, of individual or governmental control. Here, too, arises the vexed confusion between economics and ethics.

What, then, are these general psychical sciences? What place does economics hold in the scheme?

Psychology is the first of these sciences. 'The natural order of psychical activity is to know, to choose, to act. Consciousness first knows. It knows itself and its environment.* Psychology, thus, is the science of *knowing*. Even the anatomical and physiological studies of modern psychology are all from the point of view of learning how consciousness knows. Its physical studies start from the psychical standpoint. It is manifestly a psychical science throughout. Psychology deals with the nature, the mechanism, and the processes of consciousness itself. The psychological sciences form an ever increasing group of special sciences having the common aim of making clear the nature and methodology of knowledge.

The next of these general psychical sciences studies mind *utilizing* its environment. Utilization includes the processes of choice or valuation and of action, or the use of means to gain the ends chosen. The intellectual necessity of our time is a general science dealing with man's chosen activities—a science of practical life. Various sciences have dealt with parts of the subject. History, ethics, law, politics, political economy, and sociology have all groped forward in this direction. The time has come, however, for a master science which shall group together in a common relationship all these special inquiries by giving them a common starting point and method. Psychology may be relied upon to do this for consciousness itself, for man as a *knowing* thing. A new general science is needed to do this for man as a *practical* thing, for consciousness in action.

My claim is that such a science must explain all the conscious activities of men by reducing them to terms of the motives and choices of the individual consciousness. My further claim is that economics is pre-eminently the science fitted to hold this place. 'This science must study the

* "Psychology" says Professor James, "the science of finite individual minds, assumes as its data (1) thoughts and feelings, and (2) a physical world in time and space with which they co-exist and which (3) they know."

interaction of all motives which lead to choices and actions. It must reach the fundamental laws which apply to man's entire practical activity. All human self-directed conduct proceeds from choices which are valuations as to the relative good in certain courses of action.

In spite of the failures and the incompleteness of economics, it has gone farther than any other science in laying down the laws of value. It has developed in a very important branch of human conduct the fundamental laws of valuation. The "classical" English political economy, starting with one or two fundamental motives of man, wrought out a system which, within its limits, admirably expressed in scientific form the actual conduct of men. This system was attacked by the so-called "historical school" for the inadequacy of its premises, the faults of its method, and the narrowness of its field of observation. This critical attack was, in large part, an impulse from the scientific spirit of the age. It was just in the main, and successful in the main. Yet the historical school was simply a reformation of the older economics and did not destroy its continuity. The latest economics is strenuously re-examining the laws of value, using the results of that wider observation, the more scientific methods, and the larger premises called for by the scientific critics of the old economics. The "Austrian economists" and other founders of the "new economics" belong, at once, to the old "classical," and the modern "historical" schools. This it is which makes the present rejuvenescence of economics so full of promise.

The rallying point of this "new economics" is the marginal utility theory of value. The chief service, however, rendered to the science by this theory lies not in its direct importance as an explanation of value, but much more in its indirect results. It contains the logical necessity of finding the motive power of all economic life in the consciously felt desires of men. It shows that the bond

of unity in all economic phenomena is not wealth in the sense of physical things, but wealth as constituted by human desire and choice. It involves the existence of an economic utility and an economic value which are distinct from physical or mechanical utility and value, and which are in a true sense subjective, the creation of the mind. It involves the reality of these subjective facts and makes them the primary objects of economic study. A price, a vote, a credit, a preference to work an hour longer and gain an extra return, a passion for a ring of yellow metal, the reverence which rears a temple, a deliberate choice of a boy at eighteen to devote his life to the study of science instead of to the plough—such facts it shows to be psychical realities to be objectively studied. It involves the necessity of psychical measurements for these psychical facts, showing that no practicable measurement of motive exists but in human choice. It shows the possibility of exactness in such measurements by reducing these choices to valuations made in the unity of the individual consciousness between opposing forces.

Every man, economically considered, is both a wanter and a worker, a consumer and a producer. The same consciousness recognizes want and satisfaction; the same mind estimates the relative strength of motive power in an unsatisfied want and in the labor necessary to satisfy it. In this is also involved the teleological nature of economic activity. Economics deals with wants consciously felt, resources consciously perceived, and consciously directed to the end of gaining conscious satisfaction. It involves also the necessity, for the scientific explanation of value, of tracing motive back to its operation in the consciousness of the *individual*. In this theory also, as in the work of the "historical" school, is involved a bewildering extension of the scope of economics to include much which ethics has heretofore claimed, to take in, ultimately, the whole range of human motive.

The logical necessities of this new theory of value, even in its moderate form, involve all that this paper contends for. But, after all, this was all likewise contained in the economics of Adam Smith and of the classical school.

It has been shown that any adequate science of man and his conduct must find the initiative of that conduct in the individual will and its motives. No general science has yet studied the whole man from this point of view.

History suggests itself as a science capable of the requisite generalization. History studies all the activities of man and seeks to explain his whole psychical evolution. The standpoint of history is, furthermore, the right one. In history the will of the individual is the initiative, and all the achievements of civilization are the chosen ends of men within the limits of their environment. But history cannot deal with present or with future. History in fact is not one science but only a part of all sciences. The general science of man must study present conditions, must form forecasts and policies for the future. This, history proper can never do. History has, besides, no principle of cohesiveness. Art history, political history, industrial history, literary history and all other histories are, separately considered, simply parts of special sciences which we call æsthetics, politics, economics, and the science of language. The only unity is when they are grouped together in a so-called philosophy of history. No philosophy of history has yet wrought out a common system of fundamental principles which underlie all these varied lines of human conduct and give essential unity to man's whole psychical nature and activity. Such a philosophy of history is what we seek. When we find it, it will be a part of that general science now needed—the part which explains past evolution.

Neither law nor politics can furnish the basis for the master science we seek. However fully they are based upon the actions of individuals, they do not deal with individuals as such. No law, no politics, exist where an individual is

considered as alone. No general science of human conduct can ignore the solitary individual, although a solitary individual never exists. These sciences are special inquiries into the forms of association of men in society.

Æsthetics, economics, in the ordinary sense of the term, and ethics are sciences similar in many ways. They deal primarily, directly, and fundamentally with the feelings, thoughts, and judgments, of individuals with respect to their environment. They all, likewise, trace, or attempt to trace, the way in which these individual mental processes become general social laws, in accordance with which masses or groups of men have the same feelings, thoughts, and judgments. They all express their laws in terms of conscious harmony between the subjective and the objective, between mind and its environment. The difference between them might be broadly stated thus: æsthetics seeks the laws of harmonious sensation. In pure æsthetics there is no outward action. The time is always the present. Given a certain mind and a certain environment, what harmonies does that mind perceive or feel between itself and its environment? This is the inquiry of æsthetics. Economics, however, studies this mind as seeking to adapt its environment to itself so as to produce the greatest harmony. The imperfect harmonies are felt by the economic man as wants and he undertakes to adapt the world to his nature, to change his environment so that it will completely satisfy these wants. His ideal of complete harmony he attempts to reach in this way. He looks into the future. His will is active. He dominates his environment.

Ethics might be called the science of ultimate or universal harmony. It studies this mind as conscious of lack of harmony in its own constitution and as seeking so to change its own tastes and wants and capacities that it shall reach harmony with the laws of its environment. Ethical rules thus appear as obligations, something which the free man should choose. It imposes the obligation of self-culture

and racial progress. It subjects the individual self to the will of the larger, the universal self.

These three sciences remain, however, in a very intimate sense, parts of the same line of inquiry. Æsthetics has both economic and ethical branches. The sentient mind seeks ways and means of so presenting its environment as to produce the greatest pleasure from present conditions. So far it is economic. The æsthetic man recognizes also the obligation of self-culture, of so adapting his nature to the universal laws of harmony that a higher level and greater fullness of happiness may result. This is ethical.

Ethics likewise is in part æsthetic and in part economic. Whatever ethical theory be held, the ultimate ethical law comes back to a perceived or felt harmony between the individual and his environment. This is the sole ultimate test of ethical law and it is æsthetic in character. The ethical man, likewise, in so far as he strives to adapt society to harmony with his own nature is doing an economic work. Economics, also, is partly æsthetic and partly ethical. The laws of human enjoyment upon their æsthetic side as well as upon their economic side received attention in the early discussions of luxury by economic writers, and no economists have been able to banish ethics entirely from their treatment of capital. The higher ethical character of the conduct which looks to remote results is a part of all economic teaching. It is chiefly in consumption that the æsthetic and ethical affiliations of economics appear most prominently. The relative degrees of satisfaction derived from different modes of consumption are distinctly a study in æsthetics. An æsthetic judgment is adopted into economics. The problem of harmonious consumption is plainly æsthetic. Likewise the economic man who consciously controls his wants, represses some, and develops others, with a view to increasing his ultimate happiness or benefiting his family or his country, is doing an act clearly ethical. He is adapting himself to his environment to

make larger the ultimate harmonies of life. These sciences are too similar in subject matter, in method, and in aim to be kept apart. They are, in reality, one science, and should be recognized as such. Economics is the fittest of the three to absorb the others. It has shown the greatest capability of being generalized. It has developed farthest the laws which underlie the facts studied by them all. They are all sciences of *values*, estimates of the relative importance to us of various things which environ us. They are all sciences which deal with the means of realizing the highest satisfaction by harmony between ourselves and our environment.

Æsthetics does not treat conduct in sufficient prominence to make it capable of covering the general field. It is rather the border land between psychology and economics, between knowing and doing.

On the other hand the ethical standpoint is too narrow. Ethics applies the laws of utility only as relative to ultimate ideals and does not deal with wants as absolute. The means of living, physical and non-physical, most important and largest part of the thought of many people, are only indirectly within the ethical point of view. Self-initiated changes in wants are ethical. They seek to adapt the man himself so as to realize the potentialities of higher happiness in more complete harmony with the universal environment. Ethics is, in reality, the final volume in the general system of economics.

Æsthetics and ethics occupy two extreme positions between which lies economics. Economics has already shown its ability to absorb a part of both sciences and it puts the emphasis of thought where men in actual life put it.

Economics has first been studied mainly in regard to material goods. In these investigations certain laws of valuation have been discovered which give scientific form to our knowledge of human motive. It has become very clear however, that value is a wider term than material

goods, that economic motives act both in the field of material and of immaterial values. It seems inevitable that economics must ultimately include both fields. All attempts to confine "wealth" to purely material things have really failed. All pleasures, all values, all choices, all teleological activities are, in fact, chosen and followed upon principles which economics alone has explained in a scientific manner.

This is the necessary logical outcome of the premises assumed by writers in economics since it became a distinct science. Should this logical tendency reach its legitimate end, the sciences would be classified according to the scheme presented in the following table:

<p>A. PHYSICAL SCIENCES. Studying phenomena from the standpoint of matter (unconscious) and in motion (fortuitous or non-teleological).</p>	<p>Physics</p> <p>Chemistry</p> <p>Biology</p>	<p>General sciences or master sciences, the principles of which apply to many special sciences. A group of chemical sciences, for example.</p> <p>Certain special sciences may be composite and belong, in part, to two or more master sciences.</p>
<p>B. PSYCHICAL SCIENCES. Studying phenomena from the standpoint of mind (conscious) and its activities (teleological).</p>	<p>Psychology, Master science of mind as knowing.</p> <p>Economics, Master science of mind as utilizing. Science of utility. Science of practical life. Includes : Æsthetics, <i>i. e.</i>, the science of motive sensations, Economics, in the narrow sense of the science of adjustment of environment to subject, and Ethics, the science of adjustment of subject to environment.</p>	

It is claimed for this classification that it presents a simple scheme which is yet comprehensive enough to give a place to all the sciences which deal with psychical phenomena. No attempt has been made to carry out this classification into all its details. This would be out of place in a paper which aims to give only the outline of the subject. The relation of the new science of sociology to economics is a subject, however, of great practical importance, at present, and I wish to devote a few final pages to that topic.

V.—SOCIOLOGY, ONE OF THE SPECIAL ECONOMIC SCIENCES.

The new science called sociology is begotten of the modern evolutionary idea. The leading tendencies shown in this sociology have been (1) the assumption of a physical standpoint, with the use of physical analogies and formulæ in explaining man's activities, and (2) the assumption of "groups"—of a vaguely conceived "society"—as the primary fact to which the individual appears as secondary. Human action is made to start in the social group, go forward through the individual, and work out its effect upon the group. And this activity is conceived as governed by the law of physical evolution and as working onward to unplanned results.

The tendencies of economics are in direct contrast. The economic individual initiates action, he uses society or the social group as his means and he achieves an end for himself—an end fore-ordained by himself. The evolution is, thus teleological, and social institutions and groups persist or change according as they have "utility"—fitness, that is, not in the physical sense, but fitness as seen by the individual subject. Individuals, thus, are the primary fact and society exists by them and for them, while to the sociologist the primary fact is society which makes the individual and whose ends the individual serves.

This contrast between the two points of view may be well illustrated by a brief sketch of the historical origin of the two sciences. In the modern revival of industry, which was connected with the revival of learning, came a flood of particular writings upon special features of industrial life, especially as connected with the state. The mercantile writings are a collection of such literature. For a long time the word "economy" had been in use in its strict literal sense as the regulation of estates or households. It came finally to be recognized in those new writings as applying to affairs of state, "political economy" being conceived of as a body of rules governing the conduct of state affairs. The general inquiry in all these writings was how best to exploit resources in the interest of the nation. It was part of a national struggle for existence. The national resources were the soil and other natural riches, population and commerce as a means of exploiting the lands and peoples of other nations. It finally became clear, however, that the prosperity of the state rested, not so much on exploitation either of the home population or of foreign nations, as upon the prosperity of the people themselves. "*Pauvre paysans, pauvre royaume ; pauvre royaume, pauvre roi.*"

This new economic doctrine developed side by side with the similar doctrine that the political power and prosperity of a nation rested on the political freedom and importance of the people as against absolutism and aristocracy. In other words, it became clear that political economy or state housekeeping and private economy or private housekeeping were indissolubly bound together in fact and hence formed parts of one general science.

This appears undeniably in Adam Smith's book. The title indicates that it is primarily a book on public economy, but the larger part of the work is devoted to a discussion of the general laws of industry or the economy of the people, while in the fifth book only he treats specifically of the

public or state economy. In the "Wealth of Nations" we have already reached a recognition of a general science of economics which systematizes the laws underlying the economic activities both of individuals and of the state.

Furthermore, this general science is conceived by Smith as studying the operation of the motives of individuals in leading to the activities of individuals and of societies. Society and all social activities are treated as resting on ultimate bases of individual thought, choice, and deed. Smith and his followers studied mankind as made up of individual units. Social groupings were secondary, not primary.

Political economy at first applied to political groups of men. The study of industry, however, led men to see that another sort of group was possible—a "society" the members of which were held together by natural needs of economic organization and which did not necessarily coincide with the political organization. This industrial society, no less than the political, was regarded as finding its unity only in the abstraction of the common things of the individuals composing it. Its activities could be explained only by tracing them back to their origin in the wants and actions of individuals. The whole philosophy, political and economic, is summed up in the words commonweal and commonwealth.

In Adam Smith, likewise, the deeper thought is that the economic quality of things is the creation of man's want and labor. Nature gives, indeed, but only to him who wants and works. Man's wants, man's labor to satisfy these wants, man's happiness as the end to be attained, these are the things studied in the "Wealth of Nations," this is the standpoint from which even the laws of the physical world are investigated. Natural law furnishes deep, underlying forces and limits, conformity to which is necessary to attain the highest good, but the origin and measure of economic things, of the utility which is the

subject matter of economics, are found, not in nature, but in human labor, in the choices which make men work. To Smith economics is not a physical science. It is a science of man, of psychical life. This, I say, is the deeper thought of the "Wealth of Nations." These views, the individualistic view of society and the psychical nature of economic life, still dominate the science of economics.

There is an opposing view of society which has had a long history—the view which regards society as a real unit and as explicable upon the principles of physical evolution. In its latest development this theory regards society and not the individual as the unit which initiates action. However early this idea appeared, it became clearly grasped and vigorously urged as the foundation of the science of human affairs only after the doctrine of evolution came to be applied to historical growth. The studies of the early part of this century in history, jurisprudence, ethics, and historical economics—of race development, in a word, became crystallized in a conception of mankind as made up of social groups, each self-acting as a true unit. A science of society, or sociology, was outlined under which would fall, as subdivisions, politics, ethics, history, æsthetics, language, religion, philosophy, in short, every science which deals with psychical phenomena.

This conception of society and of the relations of the sciences is widely current to-day, owing especially to the influence of Comte and Spencer, and, in a lesser degree, to the writings of the "German school" of economics. The most powerful cause for the prevalence of these views is undoubtedly the influence of modern physical science. So soon as the individual man comes to be looked on as an automaton moved solely by the forces of matter, the significance of these activities which seem to be initiated by the free will of men is lost. The bonds which unite men in society are regarded in the light of physical forces. Biology sufficiently explains the individual. A new physical

science is needed which shall deal with men in groups. By an easy application of a biological analogy, the group is regarded as a biological individual, a true organism in the biological sense. Thus the sciences which deal with man's psychical life are forced into line with the physical sciences and the integrity of the individual is lost, and an abstract entity called "society" is furnished by a positivist science, with invisible and intangible organs of individuality and with all the functions and capacities of a metaphysical soul.

This tendency of sociology to explain society by extending the operation of the cosmic laws of matter beyond biology into the psychical phenomena of society and thus to work out a physical science of society is really unintelligible. It does violence to our primary judgments. The individual mind feels that its integrity and its existence even are destroyed if this be true. The universal testimony of consciousness is—I feel, I think, I choose, I act, I direct external forces, I create. If these universal dicta be errors, we have no warrant for the truth of the axioms of mathematics, or even of the primary sensations. Only by assuming the validity of the assertions of men that they see such and such things do we get any basis for science. Only by acting upon the validity of such assertions do we make such arrangements that we can continue to get the things necessary for our life. Thus the practical necessities of life impose upon us the necessity of recognizing the truth of these universal primary judgments of consciousness. Also the necessities of our psychical nature require the same assumptions. That is, if we are to have scientific explanations of the world, we must assume as true these primary judgments upon which science is built up. Equally must the validity of the processes of reasoning be recognized upon the same grounds.

A general science of man in society must assume as its basis various universal judgments of this character. Such

judgments are these: I am conscious of myself, therefore I exist; I perceive other things, therefore other things exist; I want, therefore I have relation to other things; I perceive force outside of myself—the physical world; I perceive power in my mind to direct this force; I perceive other individuals like myself—society; I perceive limits to my power—that other persons can control me, that the physical world can compel me; I perceive that I can organize this physical world and this society, and through this organization gain the satisfaction of my want.

Sociology, in not taking this view of social causation thereby violates the most fundamental of axiomatic truths.

Sociology is further defective in that it personifies the group. The logical outcome of the sociological point of view is the negation of the individual. This need be only referred to, in this place since it has been adequately discussed above. If it be denied, however, that sociology does thus destroy the individual and if sociology aims in fact to explain the individual, then its name is a misnomer. At the best, the term "sociology" expresses but one side of man's conscious activity, and largely obscures the work of the individual. It would be equally consistent to call the science "individualology," since upon any theory all social activity is made up of the organic activities of individuals. If the science is to explain man in society, the name "sociology" does not express its true content.

Another more important indictment of sociology is the following:

Sociology cannot make good its claim to be the master science of man's activities, for it studies man simply with reference to his association with other men. It cannot include the sciences which assume the standpoint of the individual and explain man's actions always in terms of the individual. Such sciences as ethics, economics, and politics, which regard human affairs as resting upon the initiation of the individual will, cannot be classified as,

sociological sciences. They do not have their ultimate foundation in the facts of association. But the essential fact in sociology is association. The group is primary in sociology, while in these sciences the individual is primary.

This inadequacy of sociology appears clearly in considering, whether, upon its established principles, it can include economics. If there were only one man in the world there would be no place for a science of sociology. If there were only one man in the world all the fundamental things of economics would still remain. Goods, utility, value, labor, capital, wealth, wants, consumption, production, dynamics. These are facts in the economic life of every man, not only as a member of society, but as a solitary individual. Money would not be needed, but a measure of value would, else the labor of production would not be economically adjusted to different processes. For the same reason the fundamental processes of distribution would still go on—according to the changing returns of labor and capital in various enterprises, shifting of labor or capital would continually be necessary in order to equalize marginal returns. The solitary man, if wise, would continually increase capital to reward his labor more richly.

The fundamental object of inquiry in economics is not the methods or processes of industrial association between man and man as the sociologist would have us believe. It is rather the problem which arises always where mind confronts matter—the problem of the utilization by the conscious subject of the external object—the problem of the wanter working to satisfy his wants. If this economic man be solitary in the world, he utilizes the world. If he be a member of a group of other men, he utilizes both the world and these other men, and out of the interplay of these various activities of the different members of the group grow the laws of economic society. Individual or society, the bases of economic life are the same, and we must look for

them in the psychological nature of the individual mind, consciously utilizing its environment—here is a bond of unity for a master science of practical life as simple and obvious as the protoplasm of general biology. To economics not to sociology must we look for the general science of man in society.

Current sociology is, I believe, beginning to recognize its limitations and is more and more coming to accept the view that it is the science of social organization. As such its endeavor is to explain the relation of the individual to society, to trace out the workings of the psychic acts of individuals as they build up groupal structures, establish social institutions, and lead forward social change. As such it also studies the re-actions of social groups, social institutions, and social change upon the individual.

If this be true, sociology falls into place as the master science of a large group of special economic sciences, those dealing with the methods of human association. It would be nearly co-incident with politics taken in the most widely generic sense of that word. This point needs fuller development than can be here given to it. Its validity, however, appears in the consideration that, as previously shown, social organization is a process of economic selection. The groups which constitute the concrete forms of organization are held together by the economic choices of individuals. Changes in the groupal forms come about likewise through changes in individual choice. That utility which economics has analyzed and explained is the causal principle running through all social processes. And these social processes only become definite and real to us when we conceive of them as made up of individual teleological acts. The term "society" is a convenient methodological symbol which we employ for certain purposes of reasoning and which must again be translated into terms of the individual before the matter is intelligible.

We are thus enabled to come back to the theses with which we began.

To make society intelligible we must accept the principle of economic selection, or utility, as the universal law of social causation, and, in our science of society, we must abandon the unscientific attempt of the earlier sociology to wrest the laws of physical causation into an impossible explanation of the teleological phenomena of men in society.

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CURRENT TRANSPORTATION TOPICS :

RECENT DECISIONS OF THE SUPREME COURT AND THEIR SIGNIFICANCE.

Since the beginning of 1897 transportation questions have occupied a prominent place in the decisions of the United States Supreme Court and in the legislation of the states. The present discussion is confined to the recent decisions of the Supreme Court affecting the power of the states to tax transportation agents, the extent to which competing railway companies can co-operate, and the power of the interstate commerce commission to regulate rates.

The Power of the States to Tax Transportation Companies.

In February and March of this year the United States Supreme Court decided ten cases involving the power of the states to tax transportation companies doing an interstate business. By these decisions the principle is established that the intangible property of such a company "is liable to state taxation, and such taxation is not upon the privilege of doing its business, nor an interference with interstate commerce." These cases concerned the constitutionality of recent laws passed by Kentucky, Indiana and Ohio. The Kentucky law was enacted November 11, 1892; the Indiana act was approved March 6, 1893, and the Ohio law originally passed April, 1893, was re-enacted with slight amendments, May 10, 1894. The Kentucky and Indiana laws apply not only to transportation agencies, but also to corporations generally. The Ohio laws in question apply only to express, telegraph and telephone companies. An Ohio law of May 14, 1894, levied an excise tax on express companies, and two later laws of Ohio, enacted March 19 and 30, 1896, have imposed excise taxes upon street railroad, railroad and messenger or signal companies, freight line and equipment companies, and also upon electric light, gas, natural gas, pipe line and water-works companies. We are concerned here only with the relation of these laws to transportation companies.

These laws are essentially alike as regards the principle adopted for the valuation and assessment of property. A state board, consisting in Kentucky and Ohio of the auditor, treasurer and attorney-general, and in Indiana of the state board of tax commissioners, acting upon the basis of information which the state auditor is empowered to collect, determines the value of the property owned within the state by the companies to be assessed.

"Said board," to quote from the Ohio statute, "shall be guided by the value of said property as determined by the value of the entire capital stock of said companies, and such other evidence and rules as will enable said board to arrive at the true value in money of the entire property of said companies within the State of Ohio, in the proportion which the same bears to the entire property of said companies, as determined by the value of the capital stock thereof, and the other evidence and rules as aforesaid." In other words, it is the duty of the board to ascertain the value of the entire property of a telegraph, express, or telephone company, real estate and capital stock—and if the company be one doing an interstate business to subtract from that total the value, (1) of the real estate situate outside of the state, and (2) the value of the real estate within the state as assessed for taxation, and then (3) to credit to the state such part of the value remaining after making these two deductions as the mileage of the company within the state bears to the company's total mileage. In the laws of Kentucky and Indiana careful rules are formulated for the guidance of the board in making these valuations, while the Ohio statute is less specific in wording, but means practically the same. The purpose in every case being to include in the valuation and assessment the "intangible" as well as the tangible or real property of the companies.

The assessed valuation thus determined by the state board is distributed by the auditor among the counties and by the counties among the townships in proportion to the mileage of the lines included in the counties and townships respectively. The taxes are levied and collected by the townships at the same rate and in the same manner as other taxes.*

The Western Union Telegraph and the Adams Express companies contended that the laws were unconstitutional because the state had no right to tax "intangible" property, and because the tax was an interference with interstate commerce; but the Supreme Court held that:

"Estimating the property of an interstate express company as an entirety, and after deducting the value of all tangible property, assessing its intangible property within the state on the basis of the mileage of its lines within and without the state, are not in violation

* This brief generalized statement of the laws is necessarily an inadequate summary of their contents. The Kentucky law, which may be found in the Kentucky Statutes, p. 1291 *et seq.* of the compilation of 1894, makes the corporations of that state liable to both state and local taxes. The Indiana law provides only for local taxation. The Ohio law of 1893 and May 10, 1894, referring to express, telegraph and telephone companies, provides only for local taxation. The Ohio excise taxes are state and not local.

of the commerce clause or Fourteenth Amendment of the Federal Constitution."*

The Supreme Court was divided five to four on these cases and was doubtless largely influenced by the practical bearings of the subject. The Indiana and Ohio cases were decided February 1, but on account of "the importance of the questions involved and the close division" of the court upon them, a rehearing was granted. In the decision of the court upon this rehearing the court brought further argument to sustain its former decree and concluded with the following pertinent paragraph:

"In conclusion, let us say that this is eminently a practical age; that courts must recognize things as they are and as possessing a value which is accorded to them in the markets of the world, and that no fine-spun theories about *situs* should interfere to enable these large corporations, whose business is of necessity carried on through many states, from bearing in each state such burden of taxation as a fair distribution of the actual value of their property among those states requires."†

Traffic Associations and the Trans-Missouri Freight Association Case.

The decision rendered by the United States Supreme Court, March 22, in the suit of the United States *v.* The Trans-Missouri Freight Association *et al.*, decrees that "The right of a railroad company to charge reasonable rates does not include the right to enter into a combination with competing roads to maintain reasonable rates." This makes illegal all traffic associations formed by railway companies for the purpose of regulating rates charged on competitive traffic, it lessens greatly the ability of the railways to co-operate, and has necessitated the reorganization of such associations upon a new basis.

The Trans-Missouri Freight Association was established on March 15, 1889, by fifteen railroads operating west of the Missouri River, the States of Missouri and Arkansas and the city of Galveston, and was a typical railway traffic association. The agreement, which became effective April 1, 1889, contained the provisions regarding rates that are usual in such contracts.‡ The

* *Levi C. Weir, President of the Adams Express Company v. L. C. Norman, Auditor of Public Accounts for the Commonwealth of Kentucky.* Decided March 15, 1897.

† *Adams Express Company v. Ohio State Auditor.* Decided March 15, 1897.

‡ This agreement was in effect from April 1, 1889, to November 18, 1892, when the Trans-Missouri Freight Association was dissolved. The agreement which took its place, January 1, 1893, did not re-establish the former traffic association. The

association was to appoint a committee "to establish rates, rules and regulations on the traffic subject to this association, and to consider changes therein, and make rules for meeting the competition of outside lines." The members of the association agreed to give notice to the association, five days previous to a regular meeting, of any proposed change in rates, and contracted to abide by the action of that body. Any member might, however, act contrary to the decision of the association by giving a written notice to that body when convened in a regular session, that such independent action was to be taken ten days thereafter. If a member decided to act contrary to the vote of the organization, the association could, if it chose, reduce rates or change its rules for the purpose of compelling the member to cease its independent action. A member of the association might, also, in order to meet the competition of roads not members, make changes in the association's rates and rules without previous notice; but a member doing this was subject to a fine if its action was not subsequently approved by the association.

The United States instituted in the Circuit Court, District of Kansas, a suit in equity for the purpose of having the agreement set aside and declared illegal and void, on the ground of its being in violation of the anti-trust law of July 2, 1890. Section 1 of this law, as is well known, declares illegal "every contract, combination in the form of trust or otherwise, or conspiracy in restraint of trade or commerce among the several states, or with foreign nations." The decision of the Circuit Court, by District Judge Riner, delivered November 28, 1892, upheld the legality of the association's agreement, Judge Riner maintaining that:

"An agreement between several competing railway companies and the formation of an association thereunder for the purpose of maintaining just and reasonable rates, preventing unjust discriminations by furnishing adequate and equal facilities for the interchange of traffic between the several lines, without preventing or illegally limiting competition, is not an agreement, combination or conspiracy in restraint of trade in violation of the act of July 2, 1890. . . .

"It was not the intention of Congress to include common carriers subject to the act of February 4, 1887, within the provisions of the

new agreement provided for the appointment of the West-Missouri Freight Rate Committee with authority "to establish and maintain reasonable rates." Although it was expected that a permanent traffic association would, on the first of the following April, supersede the temporary agreement of January 1, 1893, such an organization was not effected and the Freight Rate Committee has continued to the present time. Its present name is the Trans-Missouri Freight Rate Committee. Like other traffic organizations its powers over rates have been less since last March than they were previously.

act of July 2, 1890, which is a special statute, relating to combinations in the form of trusts and conspiracies in restraint of trade."*

The case was carried to the United States Circuit Court of Appeals, eighth circuit, where it was argued before Circuit Judge Sanborn and District Judges Shiras and Thayer, May 31 and June 1, 1893. The decision of the court delivered October 2, 1893, by Judge Sanborn, Judge Shiras dissenting, sustained the decree of the lower court. The decision was enforced by a lengthy argument to prove that,

"The contracts, combinations in the form of trust or otherwise, and conspiracies in restraint of trade declared to be illegal in interstate and international commerce by the act of July 2, 1890, entitled an act to protect trade and commerce against unlawful restraints and monopolies, are the contracts, combinations and conspiracies in restraint of trade that had been declared by the courts to be against public policy and void under the common law before the passage of that act.

"The test of the validity of such contracts or combinations is not the *existence* of restriction upon competition imposed thereby, but the *reasonableness* of that restriction under the facts and circumstances of each particular case."†

* From the syllabus of the decision. 53 Federal Reporter p. 440.

† From the syllabus of the decision. The syllabus was prepared by Judge Sanborn himself. The following paragraph of the syllabus contains such an admirable summary of the powers of the Trans-Missouri Freight Association and of the court's views of the economic functions of such organizations that it ought to be quoted here :

"A contract between railroad companies forming a freight association that they will establish and maintain such rates, rules and regulations on freight traffic between competitive points as a committee of their choosing shall recommend as reasonable; that these rates, rules and regulations shall be public; that there shall be monthly meetings of the association composed of one representative from each railroad company; that each company shall give five days' notice before some monthly meeting of every reduction of rates or deviation from the rules it proposes to make; that it will advise with the representatives of the other members at the meeting relative to the proposed modification, will submit the question of its proposed action to a vote at that meeting, and if the proposition is voted down that it will give ten days' notice that it will make the modification notwithstanding the vote before it puts the proposed change into effect, that no member shall falsely bill any freight or bill any at a wrong classification, and that any member may withdraw from the association on a notice of thirty days,—appears to be a contract tending to make competition fair and open, and to induce steadiness in rates and is in accord with the policy of the 'Interstate Commerce Act.' Such agreement cannot be adjudged to be a contract or conspiracy in restraint of trade under the 'Anti-Trust Act,' when it is admitted that the rates maintained under the same have been reasonable, and that the tendency has been rather to diminish than to enhance rates, and there is no other evidence of its consequence or effect."

The case was argued before the United States Supreme Court, December 8 and 9, 1896. That court's decision delivered by Justice Peckham, March 22, 1897, four of the nine judges dissenting, reversed the decrees of the lower courts, and held that,

"The act of July 2, 1890, covers, and was intended to cover, common carriers by railroad.

"The words 'unlawful restraints and monopolies,' in the title of the act of Congress of July 2, 1890, do not show that the purpose of the act was to include only contracts which were unlawful at common law, but refer to and include those restraints and monopolies which are made unlawful in the body of the act.

"The term 'contract in restraint of trade' as used in the act of Congress of July 2, 1890, does not refer only to contracts which were invalid at common law, but includes every contract in restraint of trade, and is not limited to that kind of a contract which is in unreasonable restraint of trade.

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"The policy of the government is to be found in its statutes, and when they have not directly spoken, then in the decisions of the courts and the constant practice of the government officials; but when the law-making power speaks on a particular subject over which it has constitutional power to legislate, public policy in such a case is what the statute enacts."*

This decision of the Supreme Court having made the agreements of all the existing traffic associations illegal, the railway companies generally, with the exception of the eastern trunk lines, withdrew from the associations of which they were members and proceeded to reconstruct their traffic organizations in such a manner as to bring them within the requirements of the court's decision. The general form of the previous organizations was retained, the chief change consisting in carefully reserving the rate-making function to the individual companies, members of the association. For instance, the articles of agreement of the Western Joint Traffic Bureau, the reorganized Western Freight Association, now provide that the board of commissioners "shall supervise and at its option recommend changes in rates, rules and regulations governing the traffic subject to this agreement," but the agreement also carefully stipulates that,

"Nothing herein shall be construed as interfering with the right of individual members to change rates at will, and the board of commissioners shall so exercise the power conferred upon it as to

* From the syllabus of the decision.

discourage, and, so far as possible, prevent violation of the interstate commerce act, or any other federal or state law, or the provisions of the charter of any member, and it shall, with these ends in view, co-operate with federal and state commissions."

Similar provisions are included in the revised agreements of the other freight and passenger traffic associations.

The Joint Traffic Association, composed of the thirty-two "trunk line" companies, the strongest and most efficient traffic organization in existence, did not deem it necessary to reorganize because, when the decision of the Supreme Court in the Trans-Missouri Freight Association case was announced, a suit against this association of the trunk lines was pending in the United States courts. This suit, which is still pending, was instituted by the United States Attorney-General at the instance of Interstate Commerce Commission. The United States asked the court to issue an injunction annulling the agreement of the association on the ground that the contract violated both the anti-trust law of 1890 and anti-pooling section of the interstate commerce act, but the association won the suit both in the United States Circuit Court last year,* and before the Circuit Court of Appeals of New York this year, the latter court's decision being rendered simultaneously with the announcement of the Supreme Court's decision in the Trans-Missouri Freight Association case. Judge Wallace, in the Circuit Court of Appeals, Judge Lacombe concurring, held that the interstate commerce act could not be invoked in the case. "If there has been," he said, "any violation of the pooling section of that act, because of the existence of contracts, the United States has no right under that act by injunction. . . . The United States has no remedy by injunction to annul a contract." Judge Wallace did not think that the anti-trust law was intended to apply to railway carriers.

The suit against the Joint Traffic Association will be heard by the Supreme Court early in the October term, and the probabilities are that it will decide that this organization is as much of "a combination in restraint of trade" as was the Trans-Missouri Freight Association. The chances for the success of the Joint Traffic Association in its suit have been lessened by some of the testimony secured by the Interstate Commerce Commission in an investigation which it conducted in Chicago the second week of last June. The commission secured evidence of the existence of "physical" or traffic pools apportioning, according to fixed percentages, a part of the freight carried by several members of the Joint Traffic Association. This apportionment was made by the arbitrators of the association, but

**Cf.* ANNALS, Vol. ix, p. 110, January, 1897.

whether they were acting for the Joint Traffic Association or for certain roads, members of the association, the available information does not make clear.

It is doubtful, however, whether the Joint Traffic Association will be able to maintain its present organization without change of form, at least for any great length of time, even should the Supreme Court not find the association's agreement illegal. It has been more difficult this year than it was last for the organization to secure the observance of authorized rates, and several instances of secret and open cutting have occurred. The insolvency of the Baltimore & Ohio and the influence of the Trans-Missouri decision have placed a severe strain on the Joint Traffic Association. It is probable that no traffic association can be made as effective as business interests demand until both the interstate commerce act and the anti-trust law are so amended as to permit greater co-operation among the railroads.

The Supreme Court's decision of March 22 has revived the agitation for the legalization of pooling contracts. In response to this agitation the Senate Committee on Interstate Commerce, after considering various measures and receiving instructions from the Senate, has drawn up and submitted a bill legalizing pooling contracts and making other amendments to the act of February 4, 1887. This bill, it is expected, will be considered at length during the next session of Congress.

The Interstate Commerce Commission, though its members are not all of the same opinion regarding details of action, is opposed to the legalization of pooling, unless the commission's powers are at the same time largely increased. The chairman of the commission and one other member are opposed to the policy of pooling, two other members "would not oppose the passage of a pooling bill, provided the other amendments which are necessary to make the interstate commerce laws effective were made a part of the bill,"* while the other commissioner has frequently advocated pooling and would doubtless favor an early action of Congress legalizing such contracts.†

The Rate-Regulating Powers of the Interstate Commerce Commission.

The United States Supreme Court has decided that the Interstate Commerce Commission does not possess the power to prescribe railway rates. The commission had previously been denied this power

**Cf.* A letter written May 19, 1897, by the Interstate Commerce Commission to Senator Cullom, Chairman of the Committee on Interstate Commerce.

†*Cf.* A paper by Hon. Martin A. Knapp on "Some Observations on Railroad Pooling," in the *ANNALS*, Vol. viii, p. 127, July, 1896.

by several inferior United States courts, and two decisions of the Supreme Court had contained expressions which left little uncertainty regarding the court's views on this subject.* The case of the Interstate Commerce Commission *v.* The Cincinnati, New Orleans & Texas Pacific Railway Company *et al.*, decided by the Supreme Court, May 24, involved this question in a simple form and the meaning of the court's decision is unmistakable.

The case grew out of a complaint made to the Interstate Commerce Commission by the freight bureaus of Chicago and Cincinnati that the rates from those cities to southern ports were so high as compared with the rates from the North Atlantic seaboard territory to the South, as to constitute a discrimination against Chicago, Cincinnati and other cities in the "central territory." The complaint was sustained by the commission, and the railways complained against were ordered to reduce their rates on certain classes of freight to Chattanooga and other southern cities so as to correspond with the rates from the eastern cities. The railways refused to comply and the commission brought the above suit to secure the enforcement of its order. The Circuit Court denied the right of the commission to prescribe rates, and the Supreme Court, Justice Harlan dissenting, confirmed the decree of the inferior court. Justice Brewer, who prepared the decision of the court, tersely summarizes the main points of his comprehensive argument in the following paragraph:

"We have, therefore, these considerations presented: First, The power to prescribe a tariff of rates for carriage by a common carrier is a legislative and not an administrative or judicial function, and having respect to the large amount of property invested in railroads, the various companies engaged therein, the thousands of miles of road, and the millions of tons of freight carried, the varying and diverse conditions attaching to such carriage is a power of supreme delicacy and importance. Second, That Congress has transferred such a power to any administrative body is not to be presumed or implied from any doubtful and uncertain language. The words and phrases efficacious to make such a delegation of power are well understood and have been frequently used, and if Congress had intended to grant such a power to the Interstate Commerce Commission it cannot be doubted that it would have used language open to no misconstruction, but clear and direct. Third, Incorporating into a statute the common law obligation resting upon the carrier to make all its charges reasonable and just, and directing the commission to execute and enforce the provisions of the act, does not by implication

* *Cf.* ANNALS, Vol. IX, p. 107, January, 1897, where reference is made to the decisions of the Supreme Court in the "Social Circle" and "Import Rate" cases.

carry to the commission or invest it with the power to exercise the legislative function of prescribing rates which shall control in the future. Fourth, Beyond the inference which irresistibly follows from the omission to grant in express terms to the commission this power of fixing rates, is the clear language of Section 6, recognizing the right of the carrier to establish rates, to increase or reduce them, and prescribing the conditions upon which such increase or reduction may be made, and requiring, as the only conditions of its action, first, publication, and, second, the filing of the tariff with the commission. The grant to the commission of the power to prescribe the form of the schedules, and to direct the place and manner of publication of joint rates, thus specifying the scope and limit of its functions in this respect, strengthens the conclusion that the power to prescribe rates or fix any tariff for the future is not among the powers granted to the commission."

This and other recent decisions of the Supreme Court have determined quite definitely the character of the powers which the Interstate Commerce Commission may exercise under present laws. The commission has more than advisory powers, but is without mandatory authority sufficient to enable it to regulate railway transportation charges except in an indirect way. If a shipper has been charged an unreasonable rate the commission can help him to collect damages, but it cannot prevent the railway company from charging the same shipper or others unreasonable rates in the future. The commission that is half advisory and half mandatory can hardly be very successful. Congress will have to make it either one or the other. The commission has long been urging Congress to grant it greater powers, and has recently declared that:

"The authority of the commission . . . to determine and order reasonable rates in cases tried, wherein the rates are challenged, should be granted and stated in unquestionable terms, and proper means provided for enforcing such determination, and we believe a provision of law making such determination and order of the commission obligatory on the carriers at once and until reversed or set aside by a court of competent jurisdiction will afford guarantee for the observance and enforcement of such orders.*

The decision of the commission is doubtless the correct one. The type of commission without power has been very successful in Massachusetts and less so in some other states; but the circumstances which account for the success of those state commissions do not obtain in the case of national regulation of railways. The Massachusetts commission is able readily to create a public opinion

* From the Commission's letter of May 19, above referred to.

regarding a particular question, and the legislature has shown itself an efficient means of making this aroused public opinion effective. But the mileage of the railroads engaged in interstate commerce is too great, the United States is too large, the economic interests of the people of different sections of the country are too diverse and the difficulties of securing congressional action are too many for us ever to secure an efficient regulation of interstate railway transportation by means of a commission without ample mandatory powers.

EMORY R. JOHNSON.

PERSONAL NOTES.

AMERICA.

Atlanta University.—Dr. William E. Burghardt DuBois has been appointed Professor of Social Science and History at Atlanta University. Dr. DuBois was born on February 23, 1868, at Great Barrington, Mass., and obtained his early education in the public schools of his native town. He entered Fisk University in 1885 and graduated with the degree of A. B. in 1888. He then entered Harvard University, receiving the degree of A. B., *cum Laude*, in 1890. He pursued post-graduate studies at Harvard* for two years, receiving the degree of A. M. in 1891, and then attended the University of Berlin for three semesters during 1892-94. The succeeding two years he was Professor of Greek and Latin at Wilberforce University, Wilberforce, Ohio, and in 1895 received the degree of Ph. D. from Harvard.† He has been Assistant in Sociology at the University of Pennsylvania during the past year, and has had charge of an investigation into the condition of the negroes of Philadelphia. Dr. DuBois is a member of the American Historical Association and of the American Academy of Political and Social Science. He has written a series of articles on social reforms among the negroes for the *New York Age*. Besides this he is the author of the following books:

"*The Enforcement of the Slave Trade Laws.*" Transactions of American Historical Association, 1892.

"*The Suppression of the African Slave Trade to the United States of America.*" Pp. 335. New York, 1897.

"*The Conservation of Races.*" Pp. 16. Washington, 1897.

University of California.—At a meeting of the Board of Regents, held May 25, Assistant Professor Carl Copping Plehn ‡ was promoted to the position of Associate Professor of Economics. Since last mentioned in this department of the ANNALS Professor Plehn has published:

"*Labor in California.*" Yale Review, February, 1896.

"*Introduction to Public Finance.*" Pp. 370. New York and London, 1896.

"*The General Property Tax in California.*" A paper read at the ninth annual meeting of the American Economic Association, at

* See ANNALS, Vol. i, p. 296, October, 1890.

† *Ibid.*, Vol. vi, p. 301, September, 1895.

‡ *Ibid.*, Vol. iv, p. 457, November, 1893.

Baltimore, December, 1896. American Economic Association Studies, Supplement to Vol. II, No. 1, February, 1897.

"*The Growth of the University.*" Overland Monthly, January, 1897.

"*Classification in Public Finance.*" Political Science Quarterly, March, 1897.

"*The General Property Tax in California.*" Pp. 90. American Economic Association Studies, Vol. II, No. 3, June, 1897.

He has also written numerous short articles and signed reviews.

Columbia University.—Dr. George James Bayles has been appointed Prize Lecturer at Columbia University for the ensuing year. Dr. Bayles was born at Irvington, N. Y., August 28, 1869, and attended private schools in New York City and Orange, N. J. He graduated from Columbia University in 1891 with the degree of A. B. He then engaged in post-graduate study, also taking a course in law. In 1892 he received the degree of A. M. from Columbia; in 1893, that of LL. B., and in 1895, that of Ph. D.* From 1893 to 1896 he was engaged in editorial work on the New York *Evening Post*. In September of the latter year he organized the Church News Association, becoming its president. He will deliver a course of lectures at Columbia on the Civil Aspects of Ecclesiastical Organizations. Dr. Bayles is a member of the New York Academy of Political Science.

Cornell University.—Mr. Charles Henry Rammelkamp has been appointed Instructor in American History at Cornell. He was born in New York City February 25, 1874, and obtained his education in the public schools of Summit and South Orange, N. J., and Cornell University. He received the degree of Ph. B. from the latter institution in 1896. The following year he pursued post-graduate studies at Cornell, holding a fellowship in American history.

Harvard University.—Dr. Guy Stephens Callender has been appointed Instructor in Political Economy at Harvard University. Dr. Callender was born November 9, 1865, at Harts Grove, Ashtabula County, Ohio. His early education was obtained at the New Lynn Institute, South New Lynn, Ohio. In 1886 he entered Oberlin College and graduated from that institution in 1891 with the degree of A. B. He engaged in business for one year and then entered Harvard University to pursue post-graduate study. He has remained at Harvard ever since, with the exception of 1895-96, when he filled the position of Instructor in Economics at Wellesley College during the absence of the regular Professor of Economics. In 1893 he received the degree of A. B. from Harvard; in 1894 that of A. M.,

* See ANNALS, Vol. vi, p. 301, September, 1895.

and in 1897 that of Ph. D. Dr. Callender is a member of the American Economic Association. He has written "*English Capital and American Resources in 1815-1860*," which is now on press.

Dr. Edward Channing has been advanced from the position of Assistant Professor to that of Professor of History at Harvard University. Professor Channing was born June 15, 1856, at Dorchester, now a part of Boston. In 1878 he graduated from Harvard College with the degree of A. B., receiving honors in history. The ensuing five years, with the exception of the year 1880-81, he pursued post-graduate study at Harvard and received the degrees of A. M. and Ph. D. During 1880-81 he was abroad. In 1883 he was appointed Instructor in History at Harvard and in 1887 was advanced to the position of Assistant Professor of History. Professor Channing is a member of the following associations: Massachusetts Historical Society, American Antiquarian Society, Military Historical Society of Massachusetts, American Historical Association, and the Virginia Historical Society. He has written the following:

"*Town and County Government in the English Colonies*," Johns Hopkins University Studies in History and Political Science, Vol. II, October, 1884.

"*Roads from India to Central Asia*," Science, May 1, 1885.

"*The Races of Central Asia*," Ibid.

"*Die Rassen von Zentralasien*," Das Ausland, 1885.

"*Outline Map of the United States*" (with A. B. Hart), Boston, 1885.

"*Smaller Outline Map of the United States*" (with A. B. Hart), Boston, 1885.

"*Bulgaria and Bulgarians*," Science, October 9, 1885.

"*The Burman Dispute*," Ibid., November 6, 1885.

"*A New Route to Southwestern China*," Ibid., February 12, 1886.

"*The Companions of Columbus*," in the "*Narrative and Critical History of America*," edited by Justin Winsor, Vol. II. Pp. 185-216. Boston, 1886.

"*The Narragansett Planters*," Johns Hopkins University Studies in History and Political Science, 3d Series, No. 3. Pp. 23. Baltimore, 1886.

"*Aims of Geographical Education*," Science, January 21, 1887.

"*The War in the Southern Department (1778-1782)*," in the "*Narrative and Critical History of America*," edited by Justin Winsor, Vol. III, Cap. vi. Pp. 468-555. Boston, 1888.

"*The Navigation Laws*," Proceedings of the American Antiquarian Society, October, 1889 (also printed separately).

"*American History Leaflets*" (edited, with A. B. Hart). 35 numbers, January, 1892-September, 1897. New York.

"*A few Remarks on the Origin of New England Towns*," Massachusetts Historical Society Proceedings, January, 1892; 2d Series, Vol. VII. Pp. 242-263. (Reprinted with papers by C. F. Adams and Mellen Chamberlain on the same subject; also separately.)

"*Collections of the Massachusetts Historical Society*," 6th Series, Vols. III and V (edited, with C. C. Smith and Robert C. Winthrop); comprising the "*Winthrop Papers*," Parts v and vi.

"*United States; its History*," Chambers' Encyclopædia, Revised Edition, Vol. X.

"*George Washington*," Ibid.

"*The United States of America 1765-1865*." Pp. 360. Cambridge (England) and New York, 1896.

"*Guide to the Study of American History*" (with Albert Bushnell Hart). Pp. 487. Boston, 1896.

"*A Student's History of the United States*" (now on press).

A. Lawrence Lowell, Esq., has been appointed Lecturer on Existing Political Systems at Harvard University. Mr. Lowell was born in Boston on December 13, 1856, and obtained his early education there and in Paris. He entered Harvard University in 1873, graduating with the degree of A. B. in 1877. He then pursued a course in the Law School, receiving the degree of LL. B. in 1880; since then he has been engaged in the practice of law in Boston. Mr. Lowell is a member of the following associations: Massachusetts Historical Society, Massachusetts Military Historical Society, American Academy of Arts and Sciences, Internationale Vereinigung für Vergleichende Rechtswissenschaft, and American Academy of Political and Social Science. He has written the following:

"*Surfaces of the Second Order as Treated by Quaternions*." Proceedings of the American Academy of Arts and Sciences, 1877.

"*The Transfer of Stock*." (With Francis C. Lowell.) 1884.

"*Cabinet Government and the Constitution*." Atlantic Monthly, February, 1886.

"*The Theory of the Social Compact*." Ibid, June, 1887.

"*Irish Agitation in America*." Forum, December, 1887.

"*The Responsibilities of American Lawyers*." Harvard Law Review, December, 1887.

"*The Limits of Sovereignty*." Ibid, May, 1888.

"*Essays on Government*." Pp. 229. 1889.

"*Politics and the Weather*." North American Review, October³ 1892.

"*The Referendum in Switzerland and America*." Atlantic Monthly, April, 1894.

"*The Referendum and Initiative; Their Relation to the Interests*

of Labor in Switzerland and in America." International Journal of Ethics, October, 1895.

"*Governments and Parties in Continental Europe.*" 2 vols. Pp. 832. Boston, 1896.

University of Nebraska.—Dr. W. G. L. Taylor has been advanced from the position of Associate Professor to that of Professor of Political and Economic Science at the University of Nebraska.* He has recently written the following:

"*The Evolution of the Idea of Value,*" Journal of Political Economy, September, 1895.

"*Hadley's Economics,*" Ibid., September, 1896.

"*What Can be Done for the Laboring Man?*" Pp. 5. Report of Kansas Bureau of Labor, 1896.

"*Values, Positive and Relative,*" ANNALS OF THE AMERICAN ACADEMY, January, 1897.

"*Generalization and Economic Standards.*" Pp. 14. University of Nebraska Studies, Vol. II, No. 2, January, 1897.

Union College.—Mr. George Briggs Lynes has been appointed Instructor in History and Sociology at Union College, Schenectady, N. Y. Mr. Lynes was born September 27, 1872, at Middleburg, Schoharie County, N. Y. He attended the Middleburg Union Free School and in 1890 entered Union College, from which institution he graduated with the degree of A. B. in 1894. He pursued post-graduate studies at Johns Hopkins University for the next two years, and then became literary editor of the Baltimore *News*. In 1897 he received the degree of A. M. from Union College.

Wilson College.—Miss Anne Elizabeth Swain has been appointed Assistant Professor of History at Wilson College, Chambersburg, Pa. She was born December 18, 1874, at Allentown, N. J., and obtained her early education in the public schools of that place. In 1891 she entered Wilson College and graduated in 1895 with the degree of A. B. Miss Swain has written "*The Influence of Trade.*"

IN ACCORDANCE with our custom we give below a list of the students in political and social science and allied subjects on whom the degree of Doctor of Philosophy was conferred at the close of or during the last academic year.†

Brown University.—Edmund C. Burnett, A. B. Thesis: *The History of the Government of Federal Territories in Europe and America.*

* See ANNALS, Vol. vi, p. 295, September, 1895.

† See ANNALS, Vol. i, p. 293, for Academic Year, 1889-90; Vol. ii, p. 253, for 1890-91; Vol. iii, p. 241, for 1891-92; Vol. iv, p. 312 and p. 466, for 1892-93; Vol. v, p. 282 and p. 419, for 1893-94; Vol. vi, p. 300 and p. 482, for 1894-95; Vol. viii, p. 364, for 1895-96.

University of Chicago.—Hannah Belle Clark, A. B. Thesis: *The Public School of Chicago, a Sociological Study.*

James Fo-dick Baldwin, A. B. Thesis: *Scutage and Knight Service.*

Henry Rand Hatfield, A. B. Thesis: *Municipal Bonding in the United States.*

Simon James McLean, A. M., LL. B. Thesis: *The Railway Policy of Canada.*

Paul Monroe, B. S. Thesis: *Profit Sharing, a Study in Social Economics.*

George Gerard Tunell, B. S. Thesis: *Transportation on the Great Lakes in North America.*

Charles Truman Wyckoff, A. M. Thesis: *Feudal Relations between the Crowns of England and Scotland under the Early Plantagenets.*

Columbia University.—Charles Ernest Chadsey, A. B., A. M. Thesis: *The Struggle between President Johnson and Congress over Reconstruction.*

Harry Alonzo Cushing, A. B., A. M. Thesis: *The History of the Transition from Provincial to Commonwealth Government in Massachusetts.*

Charles Franklin Emerick, A. B., A. M., Ph. M., M. S. Thesis: *An Analysis of Agricultural Discontent in the United States.*

Henry Crosby Emery, A. B., A. M. Thesis: *Speculation in Stock and Produce Exchanges in the United States.*

Ernst Freund, J. U. D. Thesis: *The Theory of Corporate Existence.*

Milo Roy Maltbie, Ph. B., Ph. M. Thesis: *English Local Government of To-day.*

Frank Henry Sparks Noble, A. B., A. M., LL. B. Thesis: *Taxation in Iowa.*

Francis Raymond Stark, A. B., A. M., LL. B. Thesis: *The Abolition of Privateering and the Declaration of Paris.*

Walter Shepard Ufford, A. B., A. M. Thesis: *Fresh Air Charity in the United States.*

William Clarence Webster, A. B. Thesis: *Recent Centralization Tendencies in State Educational Administration.*

Columbian University.—John Scott Johnson, B. S., A. M. Thesis: *The Influence of French Thought on the Formation of the Constitution of the United States.*

Cornell University.—Fred Stephen Crum, M. L. Thesis: *The Statistical Work of Süssmilch.*

John Burton Phillips, A. B., A. M. Thesis: *Methods of Keeping the Public Money of the United States.*

Harvard University.—Guy Stevens Callender, A. B., A. M. Thesis: *English Capital and American Resources.*

Clyde Augustus Demiway, A. B., A. M. Thesis: *Restrictions upon the Freedom of the Press in Massachusetts.*

Gaillard Thomas Lapsley, A. B., A. M. Thesis: *The County Palatine of Durham in the Middle Ages.*

Charles Whitney Mixer, A. B., A. M. Thesis: *Overproduction and Overaccumulation.*

Oliver Mitchell Wentworth Sprague, A. B., A. M. Thesis: *The English Woolen Industry in the Seventeenth and Eighteenth Centuries.*

George Ole Virtue, A. B., A. M. Thesis: *Two Features of the Anthracite Coal Industry.*

Johns Hopkins University.—James Morton Callahan, A. B. Thesis: *Neutrality of the American Lakes and Anglo-American Relations.*

Samuel E. Forman, A. B. Thesis: *The Career of Philip Freneau as a Politician and Publicist.*

Bartlett Burleigh James, A. B. Thesis: *The Communist of Colonial Maryland.*

Edwin Wexler Kennedy, A. B. Thesis: *Quit-Rents and Currency in North Carolina, 1663-1776.*

Charles Patrick Neill, A. B. Thesis: *Daniel Raymond: An Early Chapter in the History of Economic Theory in the United States.*

Milton Reizenstein, A. B. Thesis: *The Economic History of the Baltimore and Ohio Railroad, 1827-1853.*

Frank Roy Rutter, A. B. Thesis: *History of the South American Trade of Baltimore.*

Enoch Walter Sikes, A. M. Thesis: *The Transition of North Carolina from a Colony to a State.*

George Washington Ward, A. B. Thesis: *Early Development of the Chesapeake and Ohio Canal Project.*

Louis Napoleon Wheatlon, A. B. Thesis: *The Maryland and Virginia Boundary Controversy, 1668-1894.*

University of Pennsylvania.—James Lynn Barnard, B. S. Thesis: *History of Factory Legislation in Pennsylvania.*

William Fairley, A. M., D. D. Thesis: *The First Epoch of English Monasticism, A. D. 597-750.*

Arthur Charles Howland, A. B. Thesis: *The Interdict: Its Rise and Development to the Pontificate of Alexander III.*

William Albert Korn, A. B., B. D. Thesis: *The Ransom of Richard I. of England.*

Clarence Stanley McIntire, B. S. Thesis: *The Eighteenth Century Constitutions.*

Fred S. Shepherd, A. B. Thesis: *Government and Regulation of Railroads in Massachusetts by a Board of Railroad Commissioners.*

Stanislas John Shoomkoff, A. B. Thesis: *The Future of the Balkan States.*

Walter Edward Weyl, Ph. B. Thesis: *Railway Passenger Travel in Europe.*

Merrick Whitcomb, A. B. Thesis: *Commerce in South Germany about the Year 1500, with Especial Reference to the Effects of Da Gama's Voyage.*

University of Wisconsin.—Henry Balthaser Meyer, B. L. Thesis: *The History of Railway Legislation in Wisconsin.*

Henry Huntington Swain, A. M. Thesis: *Economic Aspects of Railway Receiverships.*

Thomas K. Urdahl, M. L. Thesis: *The Fee System in the United States.*

Yale University.—Walter Irenaeus Lowe, A. B. Thesis: *A History of the Events which Led to the Assumption of the Title of King of France by Edward III. of England.*

Samuel Peterson, A. B. Thesis: *Institutional Slavery in America.*

Frank Strong, A. M. Thesis: *Cromwell's Colonial and Foreign Policy, with Special Reference to the West Indies Expedition of 1654-55.*

George Stedman Sumner, A. B. Thesis: *The Cromwellian Transportation of the Irish.*

William Ransom Tuttle, A. B., B. S. Thesis: *Studies in the Theories of Criminal Anthropology.*

For the academic year 1897-98, appointments to fellowships and post-graduate scholarships have been made in the leading American colleges, as follows:

Bryn Mawr College.—*Fellowship in Political Science*, Emily Fogg, A. B.

University of Chicago.—*Armour-Crane Traveling Fellowship in Political Economy*, Wesley Clair Mitchell, A. B.; *Fellowships in History*, Ernest Alanson Balch, A. M., Harry V. Church, Walter Flavius McCaleb, B. L., Adna Wood Risley, A. B., William Rullkoetter, A. B., and Henry L. Schoolcraft, A. B., A. M.; *in Political Economy*, H. J. Davenport, Katherine B. Davis and Edward Sherwood Meade, A. B.; *in Political Science*, Sophonisba Breckenridge, B. S.; Frederick Albert Cleveland, Ph. B., R. H. Whittin and D. S. Trumbull; *in Sociology*, Albert Thomas Freeman, A. B., Joseph C. Freehoff, B. S., and Joseph William Park, A. B.

University of Cincinnati.—*Fellowship in History*, Julia Worthington, B. S.

Columbia University.—*University Fellowships in Administration*, John Archibald Fairlie, A. B., A. M., and Robert Harvey Whitten, B. L.; *in Constitutional Law*, Clement Moore Lacey Sites, A. M., LL. B.; *in European History*, Allen Johnson, A. B., A. M.; *in Finance*, H. C. Metcalf, A. B.; *in Political Economy*, William Maxwell Burke, A. B., A. M.; *in Political Philosophy*, Edward Charles Merriam, Jr., A. B.; *in Sociology*, William Augustus Schaper, B. L.; *President's University Scholarship in Sociology*, John Howard Dynes, A. B.; *University Scholarships in Constitutional Law*, Theophilus John Moll, Ph. B., LL. B., LL. M., and William Dunlap Moore, A. B.; *in Economics*, Allan Perley Ball, A. B., A. M., and William Bernard Cutright, A. B.; *in History*, Francis Reid North, James Roy Perry, A. B., and Edwin Platt Tanner; *in Political Science*, Olin Wesley Hill, A. B., Roswell Cheney McCrea and John Randolph Neal, A. M., LL. B.

Cornell University.—*Fellowship in American History*, Walter Henry Ottman, A. B.; *Fellowships in Political Economy and Finance*, Charles Eugene Edgerton, A. B., and George Schuyler Schaeffer, A. B.; *President White Fellowship in European History*, Jerome Barker Landfield, A. B.; *in Political Science*, Robert Clarkson Brooks, A. B.; *University Graduate Scholarship in American History*, Byron Edmund Brooks, B. L.; *in Law*, Darwin Curtis Gano, LL. B., and John Nelson Stockwell, Jr., B. L., LL. B.

Harvard University.—*Henry Bromfield Rogers Memorial Fellowship in Sociology*, Morton Arnold Aldrich, A. B.; *Henry Lee Memorial Fellowship in Political Economy*, Thornton Cooke, A. B.; *John Harvard Traveling Fellowship*, Abram Piatt Andrew, A. B., A. M.; *Morgan Fellowship in History*, Arthur Mayer Wolfson, A. B., A. M.; *Ozias Goodwin Memorial Fellowship in Constitutional Law*, Arthur Lyons Cross, A. B., A. M.; *Parker Traveling Fellowship*, O. M. W. Sprague, Ph. D.; *Robert Treat Paine Fellowship in Social Science*, John Edward George, Ph. B.

Johns Hopkins University.—*Fellowship in Economics*, Charles Hillman Brough, A. B.; *in History*, Guy Carleton Lee, A. B.; *Hopkins Honorary Scholarship in History*,* C. W. Sommerville, A. B.; *Hopkins Scholarships in History*,* G. E. Barnett A. B., W. S. Drewry, A. B., D. E. Motley, A. B., and C. C. Weaver, A. B.

University of Nebraska.—*Fellowship in American History*, Albert S. Harding, A. M.; *Scholarship in American History*, Frank S. Philbrick, B. S.

* Offered to Virginia and North Carolina Students.

University of Pennsylvania.—*Joseph M. Bennett Fellowship in European History*, Edith Bramhall, A. B., A. M.; *George Leib Harrison Fellowships in American History*, Herbert E. Bolton, B. L., and Joseph Parker Warren, A. B.; *in European History*, Henry Lewin Cannon, A. B.; *in Political Economy*, William Henry Glasson, Ph. B.; *in Political Science*, William R. Patterson, Ph. B.; *in Sociology*, Francis Herbert McLean, A. B.; *George Leib Harrison Senior Fellowship in European History*, William Fairley, A. B., A. M., D. D.; *in Political Economy*, Walter Edward Weyl, Ph. D.

Swarthmore College.—*Joshua Lippincott Fellowship in History and Economics*, John W. Gregg, B. L.

Vassar College.—*Babbott Fellowship in History*, Eloise Ellery, A. B.

University of Wisconsin.—*University Fellowships in Economics*, James E. Hagerty, A. B., and Nathan A. Weston, B. L.; *in History*, Martha P. Barrett, A. M.

BOOK DEPARTMENT.

NOTES.

THE FOURTH ISSUE of the "Manual of American Water-Works"* reflects plainly the development which has been going on in this country in the direction of improved municipal conditions. According to the special reports collected for this manual, there were over three thousand cities and towns in the United States and Canada last year having waterworks. Of these, something over one-half in the United States and about three-fourths in Canada were owned by the municipalities in which they were situated. In addition to the special information in regard to the capacity, cost and business organization of the different plants covered by the report, the manual contains much information of the greatest value to students of social and economic science. A table is given showing that since 1895, while only twenty waterworks have passed from the ownership of the public into private hands, as many as two hundred plants have become public property. Further information is given in regard to the legal complications which have arisen between private waterworks companies and the cities in which they were located. The different systems of meters employed are described, as are also the methods adopted of dividing the expense of extending the waterworks plant, tapping main drains, etc., between those directly or indirectly interested. The volume gives indications of having been carefully edited, and will prove very helpful to the municipal reformer who is anxious to turn to exact information in regard to this important branch of municipal activity.

IN HIS STUDY of "*La France d'après les Cahiers de 1789*,"† M. Champion gives us an excellent statement of French conditions before the Revolution. He believes that the proper place to search for knowledge of these conditions is in the complaints and grievances sent to the king by his people in 1789, and is therefore a

* *Manual of American Water-Works for 1897*. Edited by M. N. BAKER. Pp. 626. Price, \$3.00. New York: Engineering News Publishing Co., 1897.

† *La France d'après les cahiers de 1789*. Par E. CHAMPION. Pp. 257. Price, 3,50 fr. Paris: Colin et Cie, 1897.

hearty believer in the work of French students who are seeking to make the collection of *Cahiers* more nearly complete.

The author has evidently devoted much time to the study of such of these documents as are available and the results of his work are valuable. In the volume before us he tries to sum up the results in chapters on "the provinces," the three orders, "the army and navy," "the church," "the obstacles to national unity," and such other subjects as are especially important. In all his work we find frequent references to his sources of information and at its close there is an index the more valuable in that it is usually omitted by French writers.

The work makes an excellent companion volume to M. Boition's "*Etat de la France en 1789*," but the reader must never forget that the *Cahiers* are above all a summary of complaints and grievances rather than a fair statement of the bright as well as the dark side of life at that period. It would seem that even the author forgets this when he attempts to describe "*La douceur de vivre sous Louis XVI*," for the chapter would rather justify the title "*aigreur*" than that given to it. The volume, however, is a valuable summary of the *Cahiers*.

M. GUSTAVE LE BON, in his little book entitled "Psychology of Crowds,"* has succeeded so well in delineating the leading general characteristics of the action of a crowd that those who are at present philosophizing about the lynchings that take place in the broad daylight of Ohio civilization would do well to read it. He treats of heterogeneous crowds, such as those which collect on the streets of a city which he styles as "nondescript," and juries, parliamentary bodies, etc., which are "*non anonymes*;" and then of homogeneous crowds comprising first, sects, political and religious; second, castes, military, clerical, workingmen; third, classes, such as the *bourgeoise*, peasants, etc. With this classification the author has examined and studied patiently the phenomena manifested by each. The account is at all times interesting and the results are in part at least instructive. The intellectual content of the thought which prompts the action of a crowd is almost always inferior to the intellectual ability of many persons and sometimes even of a majority of those who compose the crowd. This is explained by one of the author's fundamental propositions which is that it is always the unconscious elements which dominate a crowd; that there is never premeditation in its acts, but always a yielding to the

* *Psychologie des foules*. Par GUSTAVE LE BON. Pp. vii, 200. Price, 2.50 fr. Paris: Felix Alcan, 1896.

influence of imagery, to suggestions bordering on the marvelous, to the force of the commonest unconscious responses to certain general stimuli. Hence, crowds exhibit race traits strongly and are always weak in personality and a sense of responsibility. In a study of this kind there is great danger of sinking to the level of platitudes and meaningless generalizations. This cannot be charged however against M. Le Bon. Some of his generalizations have too much of the particular, derived from observation of French crowds which are in many ways peculiar. On the basis of a piece of work of this kind it would be interesting to have a more specialized scientific study of the phenomena exhibited at some of our southern or western lynchings, or by such organizations as Coxe's army. America might furnish considerable material along this line which has not as yet been treated on any higher level than that of sensational journalistic correspondence.

MESSRS. D. APPLETON & Co. have brought out a new edition of Lester F. Ward's "Dynamic Sociology"* in two volumes. It is a reprint of the original edition which appeared in 1883, with a new preface in which Mr. Ward gives an account of the history of the book and of the progress made in the public interest in its subject and a lengthy statement concerning the treatment of the book in Russia where a translation, of which one volume was printed, was confiscated by the government. Mr. Ward has been one of the most active writers in this country to promote an interest in sociology and to encourage its study along far-reaching lines and his volumes dealing professedly with only a part of sociological theory will always possess a peculiar interest to the American reader, both because of their historical position and because of their content.

IN HIS "Recent Centralizing Tendencies in State Educational Administration"† Dr. Webster has combined several articles which appeared in the *Educational Review* and has formed a study first, of the old "district system" of school administration and of its attendant evils; and, second, of the present tendency toward a more

* *Dynamic Sociology*; or, Applied Social Science as based upon static sociology and the less complex sciences. By LESTER F. WARD. Two vols. Second edition. Pp. xxix, 706; vii, 690. Price, \$4.00. New York: D. Appleton & Co., 1897.

† *Recent Centralizing Tendencies in State Educational Administration*. By WILLIAM CLARENCE WEBSTER, Ph. D. Columbia University Studies in History, Economics, and Public Law. Vol. viii, No. 2. Pp. 82. Price, 75 cents. New York: The Macmillan Co., 1897.

centralized organization in this field of state activity. Basing his conclusions upon the later reports of the superintendents in the New England and Middle States, as well as on the reports of the United States Commissioner of Education, Dr. Webster finds that the "district system" caused an extreme subdivision of each state into minute but almost independent administrative areas and resulted, in the following important evils: extravagance, narrow provincialism, large number of officials and hence increased elections and electioneering, glaring and unjust inequalities of school taxation and school privileges, and administrative anarchy, *i. e.*, the lack of a harmonious school policy. This formidable arraignment of the old system, it must be admitted, is for the most part a just one. Nevertheless, one cannot but wish that the author had tempered justice with mercy in his condemnation. Certainly it should be remembered that, as a prominent Frenchman has recently said, the older states of the American Union grew from the periphery to the centre and not the converse, *i. e.*, they developed mainly on the basis of the local settlements and towns, and their administrative organization could not but reflect this fact. From this standpoint, then, the school district represents simply a natural phase of administrative development. It might also be said that the author discusses only the administrative side of the subject and seems to care but little for the probable influence which would have been exerted by a centralized organization on the political training and activity of the citizen. The sketch of the new methods of organization and of their relations to the courses of study, text-book supply, compulsory attendance, etc., is most complete and satisfactory.

"THE RAILWAY QUESTION IN CANADA"* is discussed in an instructive way in a pamphlet by Mr. J. S. Willison. The Canadian government has to deal with the same problems of railway regulation that are found in the United States, though the United States and the various states have made more progress than Canada in their treatment. A part of the pamphlet is concerned with a discussion of the Iowa law regulating railroads. This part of Mr. Willison's study is only a résumé of Dr. Dixon's book on "State Railroad Control in Iowa." Mr. Willison gives his unqualified approval to the mandatory type of railroad commission without, however, referring to the working of the advisory commissions of Massachusetts and other states.

* *The Railway Question in Canada*, with an Examination of the Railway Law of Iowa. By J. S. WILLISON. Pp. 73. Published by the Author, Toronto, 1897.

IN COMMENTING UPON the report of Messrs. Wines and Koren on "The Liquor Problem in its Legislative Aspects,"* the sub-committee of the committee of fifty remarks:

"It cannot be positively affirmed that any one kind of liquor legislation has been more successful than another in promoting real temperance." This negative dictum indicates that the sub-committee are not inclined to take too seriously the result of the investigations made by their agents. For if Dr. Wines and Mr. Koren are not ready to pronounce unequivocally in favor of any specific plan, they are at no pains to conceal their impression as to the relative degrees in which the various systems which they study have failed. The one which most distinctly merits contempt, and against which they are determined at all hazards to make out a damaging case, is prohibition. Less unsuccessful but still productive of serious evils is the high license system. The moderately restrictive system in vogue in Massachusetts before the enactment of the local option law is credited with having outlawed the saloon in a far greater number of towns than were to be found in Maine, under partially enforced prohibition. In Ohio where the liquor traffic is not outlawed at all but simply taxed, there are townships in which there are no saloons "there being simply no demand in them for liquor," and others in which local prohibition exists by law—altogether about one-fourth of the townships in the state. This plan is not altogether a bad one. The South Carolina dispensary system finally, "has closed the saloons, and nearly suppressed the illicit traffic." The writer evidently has no sympathy with the "political opponents of the dispensary authorities" who "deny that aught of good has been accomplished" or with the prohibitionists, who "will frequently not even admit that drunkenness has been reduced." It is only in this chapter that Mr. Koren exhibits any enthusiastic interest in his subject, though he praises with discrimination and detects several flaws in the system, the most important being the fact that the element of private profits has not really been eliminated as in the more famous Gothenberg plan.

The fact is that this first fruit of the work of the remarkably respectable and able committee is a disappointment, betraying a bias so pronounced and so utterly unscientific as to throw suspicion upon their ability to choose discreet and competent agents if not upon the value of their own deductions. No one can read the chapter

**The Liquor Problem in its Legislative Aspects.* By FREDERIC H. WINES and JOHN KOREN. An investigation made under the direction of Charles W. Eliot, Seth Low and James C. Carter, Sub-committee of the Committee of Fifty to Investigate the Liquor Problem, Pp. vi, 342. Price, \$1.25. Boston and New York: Houghton, Mifflin & Co., 1897.

on "Prohibition in Maine and its Results" without discovering the *ex parte* character of the material produced. Sentences might be quoted from almost any page to show that the agent reports as an advocate and not as a scientific student.

It is all the more necessary to call attention to the special shortcomings of this work because they are found just where the committee itself and those who have been interested in its investigation have expected the most conspicuous success. Liberal financial support and unbounded public confidence have been bestowed upon the committee. It has had an unprecedented amount of co-operation from public and private bodies and much private voluntary assistance. Gentlemen of high scientific standing have given their names to the enterprise and those who were employed to do the actual work have made constant profession of their impartiality and scientific method. The present book is only a first installment of the results of the inquiry, and deals with the legislative aspects of the problem. It contains much interesting matter and in spite of the evidences of personal bias it will probably stand as the beginning of our scientific work in this field. The chapters are of unequal merit, those on the "South Carolina Dispensary System" and on the "History of Prohibition in Iowa" ranking first in general interest. It is earnestly to be hoped that the forthcoming volume on the relations of intemperance to pauperism will not become a mere argument in behalf of the thesis that intemperance has had little or nothing to do with destitution. In such an investigation one does not expect traces of sympathy with temperance reformers but equally out of place are indications of anxiety to make out a case against them.

REVIEWS.

Glasgow, its Municipal Organization and Administration. By Sir JAMES BELL, Bart., and JAMES PATON, F. L. S. Pp. 426. Price, \$3.00. Glasgow: James MacLehose & Sons, 1896.

The purpose of this volume, as expressed by the Lord Provost in the prefatory note, "is to present. . . a comprehensive view the various means through and by which the complex work of a great corporation is carried on, and the intimate relation in which these and their result stand to the health, happiness and prosperity of the citizens." The details of municipal organization are carefully examined, and the work of each municipal department is described with a clearness and accuracy which makes this volume a model for monographic studies of a similar nature. It is only on

the basis of material as complete as that presented in this volume, that comparative studies can be carried on with profit.

One of the most surprising facts to the American reader, who is accustomed to regard rapid growth as a phenomenon peculiar to the cities of the United States, is the extraordinary increase of population in Glasgow during the last few decades. During the decade 1881-91, the population within the limits of the city increased from 511,415 to 656,185, a gain of 144,770. In 1890 several adjacent villages were incorporated into the town, bringing the population in 1896 to about 900,000. Since in 1801, the population was but 83,769, and in 1851, but 329,000, this growth is comparable with that of most of our American cities. In fact, if the population of the surrounding villages were included—and they constitute a part of the population of the city in fact, if not in form,—the Scotch metropolis would probably lead in the comparison.

From this record of the splendid work of the different departments, it is difficult to select facts most deserving of attention. In river and harbor improvement, in the field of health inspection, disease prevention and treatment, Glasgow has been a centre of influence and suggestion for the large cities of Great Britain. But it is through the extension of its municipal functions that Glasgow has attracted the greatest attention. The work of the "Improvement Trust" in clearing some eighty-eight acres of densely populated slum district, constitutes one of the greatest municipal achievements of modern times. In this work the city has expended about \$11,000,000, of which nearly ten millions have been devoted to the purchase and improvement of land and buildings, and the remainder to the erection of tenement and lodging houses. A new environment has thus been created for a large section of the population. The broad, well-kept streets, the model municipal tenements with strict regulations as to cleanliness, have given to the population the possibility of a broader and fuller life, and have reacted upon civic energy and activity creating a new bond between the citizen and the city.

In the management of street-railway franchises the experience of Glasgow offers much that is of permanent value to American cities. The short-term lease to a private company, the struggle over the terms of renewal, and the final decision of the city council to take over the management of the street-railway system, are facts well known to those interested in municipal affairs. Since the beginning of municipal management, the fares have been reduced, the hours of labor of employes gradually diminished, and the accommodations to the public greatly increased. In spite of this fact, the report for

the fiscal year ending May 31, 1896, shows an excess of receipts over working expenses of more than \$400,000.

Within the limits of a review, it is possible to touch upon only one or two salient points. An examination of the whole volume shows the deep moral significance of a well-conducted city government. To most readers its perusal will convey a new conception of the possibilities of organized municipal activity.

L. S. ROWE.

The Story of Canada. By J. G. BOURINOT, C. M. G., LL. D., D. C. L., Clerk of the Canadian House of Commons, etc. Pp. xx, 463. Price, \$1.50. New York: G. P. Putnam's Sons. London: T. Fisher Unwin, 1896.

The wealth of dramatic incident, in the records of hardships, struggle and adventure, in the vast schemes and inadequate resources, in the martyrdom of missionaries and in the recurring wars under the *ancien régime* furnish the materials for the first and larger part of this contribution to the Story of the Nations Series.

In drawing from these stores with an exact literary sense and a judicious appreciation of the essential, Dr. Bourinot has written a story of continuous and lively interest, in the course of which the characteristic influence exerted by Cabot, Cartier and Champlain, *coureurs-de-bois* and *voyageurs*, bureaucrat and priest, Indian and *habitant*, by French ambition and English lust of conquest upon the destiny of New France, is presented in a way which combines accurate scholarship and admirable clearness with great charm of style and keen feeling for the romantic aspects of the theme. The fortunes of the eastern settlements naturally receive considerable attention, though by no means at the expense of proportion in the narrative; and a calm explanation of the political necessity which prompted their transportation goes far toward justifying the English instruments of the Acadians' fate, without lessening our sympathy for this unfortunate and scattered people. Throughout the story the part played by the American Colonies—in the expeditions against Quebec, in the capture of Louisbourg, in intrigues with the Iroquois and the whole struggle for control of the fur trade and means of communication, for possession of the Mississippi and the valley of the St. Lawrence—is set forth with friendly appreciation of England's one time colonial allies.

In dealing with the period subsequent to the capitulation of Montreal, the author depicts, in broad and vigorous strokes, the gradual growth in population, political organization and dominion

reclaimed from the forest which, under the leadership of the Province of Canada, was advanced many stages further by the confederation of 1867. The attitude of Canadians during the American Revolution, the settlement of Upper Canada and other sections by Tory refugees from the United States in the last two decades of the last century, the conciliation of the French population to British rule, the Quebec Act of 1774 and the establishment of representative institutions in 1792 are subjected to graphic review. This is followed by an eminently tactful and (if one excepts Lundy's Lane) unprejudiced account of those troubles of 1812-14 and the insurrection of 1837 in which citizens of the United States also bore a part—not always, indeed, an altogether creditable one. What is said of the introduction of responsible government on the English parliamentary plan into the several provinces between 1840 and 1847, of the Fenian raids, of confederation and its makers, of the Riel Rebellion and of French Canada, while it brings to the reader a definite and vivid idea of the present situation, yet suggests strongly the impartiality and self-restraint involved in the honourable position as Clerk of the Canadian House of Commons which Dr. Bourinot has held for many years.

Thus, perhaps, it happens that the minor issues of Canadian politics are not considered in any detail, though in the book as a whole are treated rather the personal history and the political and constitutional development than the growth of material resources. Nor are what may seem to some certain graver and greater political problems discussed in this sketch. The slight increase of population in recent years, and the great emigration, as well from Quebec to New England as from the western provinces to other parts of the United States, are scarcely mentioned; and the ultimate influence of natural trade routes which run from north to south and conversely upon the effort to accomplish national development along a strip of habitable land running east and west, and a narrow strip at that, is not examined. Still, the progressive emancipation of the French Canadian from priestly control of his action in civil affairs, indicated by Liberal victories in Quebec, doubtless does promise the abatement of those race difficulties which religious differences have often sorely aggravated. And its great territory, the unmistakable national feeling in the popular consciousness and the system of practically autonomous government which has been developed out of English institutions quite justify, for the present, at any rate, the inclusion of Canada within the roll of nations.

R. M. BRECKENRIDGE.

Ithaca, N. Y.

Nominations for Elective Office in the United States. By FREDERICK W. DALLINGER, A. M. Pp. xiv, 290. Price, \$1.50. New York: Longmans, Green & Co., 1897.

The nomination of candidates for elective office has come to be recognized as one of the most important features of popular government. We have been loath to give this extra legal activity so prominent a place in our political system. We have continued to talk about a government by the people and to speak of officials as the "people's choice," but meanwhile "bossism" has abrogated to itself all political power, so that to-day no modest legislative measure can be passed, no official appointment can be made, and no candidate stand for election (at least with any hope of success) without the approval of the political "boss." In their unscrupulousness the "bosses" have torn away the mask, revealing the source of their power which lies in selecting candidates. The voters elect, but do not choose, officials.

It is with this eminently practical and important phase of our political life that the book before us deals. Having been secretary of the Republican city committee of Cambridge and a member of the Massachusetts Senate, the author speaks with authority on the methods and procedure of primaries, caucuses and conventions. Mr. Dallinger has brought together in a convenient form and in a systematic manner the latest that has been said on this topic. A spirit of fairness is manifest throughout the book. He describes in an unbiassed manner some of the most notorious cases of misrule of both parties.

The book is divided into four parts, and nearly sixty pages of appendices. Part I. enumerates the methods of nomination in vogue to the time of the adoption of the present plan about the year 1840. This is not an attempt at an historical study, but mainly a statement of isolated facts. In the early days of our republic but little thought was given to methods of nomination. While there were plenty of seekers for political power, politics had not become a business. The national convention was introduced by the insignificant Anti-Masonic Party at its first nomination. Like many other great political ideas it was the natural result of the conditions. Other parties utilized their legislative bodies to place candidates before voters, but the Anti-Masonic Party had not even a member of a legislature.

Although the author gives a summary of our present system at the close of Part I., it is in Part II. that he takes it up in detail. He describes in succession the complete system of the several

divisions of wards, city, county, state and nation. Now, as certain parts of this mechanism reappear in each of these territorial associations the author has been led into frequent repetition which is both confusing and tedious. Furthermore, the lack of clearness is increased by the vast amount of minutiae recorded. The author seems to forget that clearness does not consist in an exhaustive enumeration of parts, but in a minute description of certain well-chosen features.

In addition he attempts to treat in a general way the subject of nominations for local office and to make generalizations which apply to whole sections of country. With our vast extent of territory, diversified industrial conditions and complex social relations it is impossible to make sweeping statements of local political customs, and anyone who reads Chapter II. will be convinced of the futility of such an attempt. In Part III. the defects of the system are discussed. These defects are illustrated by numerous well-selected examples.

Mr. Dallinger shows that the character of our nominees is not the result of the nominating machinery, but of the character of those who manage the system; that it is in unworthy hands "is the natural result of the spoils system aided by lax laws and an inexcusable neglect of the duties of citizenship." The various remedies for these defects are considered in Part IV. These are grouped under the heads: Regulation by party rules; by law, and supervision by citizens' associations.

The author here falls into the error made by so many political scientists of devoting his energies and space to a discussion of words and traditions rather than of living forces. It seems so difficult to escape documentary entanglement. Every student of politics would have been grateful if more had been said of the effective rules and laws. We want to know the effective forces in the preservation of popular government. We desire to know the relation of these rules and laws to their environment.

The appendices contain numerous documents illustrative of the entire nominating system.

J. Q. ADAMS.

University of Pennsylvania.

Industry in England; Historical Outlines. By H. DE B. GIBBINS, M. A. Pp. xx, 479. Price, \$2.50. New York: Imported by Charles Scribner's Sons, 1897.

In the history of no nation does the supreme importance of the rôle played by physical influences stand out more clearly than in

that of England. From the time when the isolated and extreme western position of the island determined the character of its early inhabitants, to our own day, when abundance of coal spells manufacturing supremacy, there has been hardly a stage in the development of that country but has been the obvious result of some peculiarity in its physical environment. This fact makes the task of the economic historian of England at once simple and full of difficulty. It is simple because the chief environmental features of England are so readily perceived, while it is difficult because it is so hard to decide just how much influence in moulding and determining the infinite details of industrial, social and political life is to be ascribed to each one of these features.

"Industry in England" emphasizes rather the difficulty than the simplicity of the task which its author has undertaken in trying to give a condensed account of the economic history of the British Isles. Although the author recognizes clearly in his opening chapter that the "special fitness" of England and of the English people for commerce and manufacturing is a fact of recent discovery, that the English are not an inventive people, but "owe most of (their) progress in the arts and manufactures to foreign influences," and that "the causes of English supremacy and commerce in the nineteenth century . . . with one great exception—the application of steam-power to industry—reside more in the natural advantages of the country than in the natural ingenuity of the people;" yet he seems to lose sight of these considerations in the body of his narrative. Immediately after he has emphasized the importance of objective influences in directing the course of English history, he begins his work not as one might expect, with a description of the physical characteristics of early Britain, but with an account of the early inhabitants. Coming then to the early invasions he is contented with a bare summary of the information contained in the ordinary text-book on English history, and makes no attempt to explain the motives of the invaders or to tell why it was that England gained only advantages from the inroads of foreigners, which were so disastrous to neighboring countries on the continent. As the material becomes more various the author's failure to explain events in their logical order is more conspicuous. Underlying physical causes are almost entirely lost sight of in his description of the manorial system, of the guilds and of later economic institutions, while the mistakes of individuals and of classes and such calamities as the Great Plague are exalted to the rank of historical facts of first-rate importance.

In the arrangement of his work Mr. Gibbins has shown great

discrimination. He has stoically resisted the seductions of the mediæval period, about which most authors find so much to say, because so little is known, and has kept nearly three-fifths of his volume for the treatment of the period beginning with the reign of Henry VII. Especially to be commended is the exhaustive attention which he gives to the events of the second half of the last and the first half of the present century. No author, since Arnold Toynbee, has appreciated so fully the importance of this period or done so much to explain how the "industrial revolution" reacted on the social and political life of the English people. In saying that "the change from the domestic system of industry to the modern system of production by machinery and steam-power was sudden and violent," the author goes, perhaps, too far. Recent investigations seem to show, on the one hand, that the "capitalistic system" had received some development before the era of steam, and on the other that the régime of the factory—taking the country as a whole—extended itself quite slowly. As to the greatness of the change when it was finally effected, however, there cannot be two opinions.

The later chapters of "Industry in England" betray socialistic leanings on the part of the author which will cause many readers to distrust his fitness to treat economic history with impartiality. Such a statement as that on page 470, that "the great mistake of the capitalist class in modern times has been to pay too little wages," has a curiously unhistorical ring about it, and taken in connection with the claim, put forward at the beginning of Chapter XXIII, that the "large capitalists of earlier manufacturing days" owed their accumulations to their own acuteness, coupled with the enforced abstinence of the laboring classes, suggests the question whether the author has made a sufficiently careful study of the elementary motives which served as the mainsprings of "industry" one hundred years ago, as they do at present.

Taken in its entirety, Mr. Gibbins' work is a great improvement upon his earlier "Industrial History of England," which has served him as a model in its preparation. It contains a mass of valuable information, not otherwise easily available, and is abundantly supplied with the exact references so dear to the serious student's heart. Relying largely on secondary sources, and too much perhaps on the writings of Thorold Rogers, the author yet displays no little originality in his interpretation of historical events and is careful to distinguish between fact and opinion.

The cordial reception accorded to his earlier work insures a wide sale for Mr. Gibbins' book, and it is probably better fitted than any

other that has yet been written to serve as a text-book of English economic history.

H R. S.

Histoire financière de l'Assemblée constituante. Par CHARLES GOMEL. Vol. II. 1790-91. Pp. 586. Price, 8 fr. Paris: Guillaumin et Cie.

The volume before us completes M. Gomel's financial history of the revolution down to the dissolution of the Constituent Assembly. Two volumes have been devoted to the reign of Louis XVI. before the gathering of the States-General, and the last two cover the period of that body's activity. It is not too much to say that for the first time a clear and dispassionate account of the financial policy of France during these years has been given to the public. The author appears to think that in following the financial thread he can best show the causes of the successive changes in France and in our opinion he has ample justification for this view, at least until 1791. The Bourbon monarchy was undermined by a reckless disregard of financial laws and the Assembly was at its weakest in questions of receipts and expenditures.

In this volume, as in the preceding ones, little attempt is made to describe factors in the changes which France was experiencing, except as they influenced the financial policy of her rulers, and yet the words used in these occasional descriptions are so excellently chosen that we often obtain a better idea of such other factors than we could have done from a more pretentious historian. Few readers will wish to cut out the author's short description of Mirabeau's life and influence or his analysis of the relations existing between the King and the Assembly.

As regards the more immediate financial questions, M. Gomel compels a clear understanding of existing conditions before he allows the student to discuss the changes introduced. Such explanations often lengthen a work unduly, or make it uninteresting to its readers, but our author avoids these errors much more easily than some others have done. His words do not seem to be interpolations, and we read his descriptions of the "*livre rouge*" for example, feeling that we should have been disappointed had it been omitted.

At the outset the author shows the difficult position of the Assembly resulting from its inability to oppose successfully the will or better the impulses of the people. With the most honorable intentions toward the legal owners of the land throughout France the Assmblly was unable to enforce a policy of a gradual commutation

of feudal dues which it recommended. The destruction of the administrative and judicial machinery of the royal government made it impossible to reach the peasant effectively. The latter considered that the land had been taken from him, forgetting that he had never owned it, and wished to take possession of it immediately. Such immediate and unqualified possession the people considered as the best guarantee that feudal privileges would not be restored and they rejected absolutely the policy of gradual commutation ordered by the Assembly. Immediate occupancy in turn bound all the new owners to the revolution on which their title depended and excited an increased distrust of the rulers. Such an experience should, in M. Gomel's opinion, have taught the Assembly that a limitation of expenses and the formation of a new administrative system compelling obedience, were the most necessary reforms and that the latter at least was essential.

This view coincides with that of a part of the Assembly. Here it was thought that the confiscation of church property would sustain the government until such a system could be formulated. The expenses, however, were not reduced; it was found easier to issue assignats than to collect taxes, and as the former came to be considered as an inexhaustible financial resource additional expenses were voted instead of administrative reforms. In his discussion of this fever for the issue of assignats, the author is at his best although it must be admitted that the advocates of the system offer an easy mark for attack.

At length, toward the close of 1790, additional means of raising money were sought. A tax on real estate, as well as on personal property, was proposed which would provide for the necessities of the period. It was framed according to physiocratic principles, being levied on the average net product of a given piece of land, for the preceding fifteen years, and a list of expenses which must be deducted from the total product to obtain this was given. The care necessary to the just levying of such a tax was so great as to render its expediency doubtful even had the officials in charge been servants of an impartial central government. When this collection was entrusted to local bodies the difficulties became such that, in M. Gomel's words, "one may well be surprised that they were not perceived by the Assembly." Of course, the results were not satisfactory.

The tax on personal property followed the same lines of justice in its apportionment, and the Assembly had the experience of the *vingtième* and capitation to guide it somewhat in its work. Again, the practical result was not in harmony with the desired aim, largely

because of the difficulty of apportionment and the unwillingness of the local authorities to justly tax their own constituents. The Assembly did not fix the amount due from each department, so efforts were made to shift the burden. In his criticism of the Assembly's work in taxation it appears to the writer that M. Gomel is somewhat too severe. Although the results wished for were not obtained it is doubtful if any inexperienced body would have done better under the same conditions. Habits of waste are not outgrown in a year, although a conservative financier might expect them to be, and the author's criticisms fall more appropriately on a government which had not trained its citizens to act or on a king who could not furnish the necessary aid.

The remainder of the volume describes the increasing difficulties in tax collection, the growing differences between King and Assembly, and the warnings given that the new government under the constitution of '91 would be wrecked on the same rock that had destroyed the old. The acceptance of the constitution is recorded, the volume closing with a description of the popular feeling at the close of the Constituent Assembly and the wretched financial condition in which that body left the government. We shall await future volumes in the series with interest, and hope that finally, at least, the author will give us an adequate index.

C. H. LINCOLN.

Millbury, Mass.

The State and the Individual. An Introduction to Political Science, with Special Reference to Socialistic and Individualistic Theories. By WILLIAM SHARP M'KECHNIE, Lecturer on Constitutional Law and History in the University of Glasgow. Pp. xx, 451. Price, \$3.00. New York and London: The Macmillan Co., 1896.

If a book can be termed valuable which lays no claim to originality other than in the rearrangement and combination of old theories, the present work of Professor M'Kechnie deserves that designation. The author gives us a general survey of the whole field of political science with a particular object in view. This specific purpose we are told is "first to state impartially the points at issue between socialism and individualism, and to mediate between their claim as rival schemes for the regeneration of society; and, secondly, to offer a contribution toward the solution of some of the practical problems to which both systems address themselves."

In carrying out this plan, however, the author has found it necessary to make a preliminary inquiry into the nature, objects, sphere

and aims of the state. As the work is intended to appeal to others than those who have specialized in the field of political science, this introduction may be necessary. To one at all familiar with the subject, however, Professor M'Kechnie's treatment will add little of information. Scarcely a single point is given an adequate treatment. Debated and debatable points are taken up and decided in a single sentence or paragraph. In almost no case is the reasoning given with fullness. In the preparation of this part reliance has been placed entirely upon English authorities, or French and German works that have been translated into that language. The only American work cited is Hoffman's "Sphere of the State," a work without standing amongst our own publicists. Once entered upon the mazes of the theory of the state moreover the author has not been able to keep steadily to his original purpose. He devotes so much attention to this inquiry that the reader is apt to lose sight of the real purpose of the work.

In one respect, however, the author has performed a good service in this study. He has emphasized the necessity of studying the state from the standpoint of its legitimate sphere rather than of its nature. Political science addresses itself to the two questions: What ought the state to be? and what ought it to do? In the past the first question has received the almost exclusive attention of political philosophers. It is the second that should now receive the preference. We should first clearly know what the state has to do before we can determine under what form of constitution it is best able to do it.

The theories regarding the sphere of the state are grouped under the following five heads: (1) Opportunist, (2) Socialistic, (3) Individualistic, (4) Compromise, (5) Organic. The opportunist is the happy-go-lucky policy which advocates that no definite policy be followed, but that each difficulty be met as it arises according to its peculiar exigencies. The socialistic and individualistic schools represent, as their names import, the extremes of governmental interference and *laissez-faire*. The compromise solution is a *via media*. A judicial analysis is made of the arguments for and against these policies. The practical difficulties of organizing or afterwards conducting a socialistic state are fully shown. On the other hand, the inconsistencies and weaknesses of individualism are no less strongly presented. The anarchist is the only consistent individualist. Others must admit a sphere for the state, and in so doing must compromise with socialism. Individualists have set themselves the impossible task of first assuming a division between state and private activity that does not exist, and then trying to

find where it lies. In this no two individualists are completely in accord.

The author rejects all four of these theories. The true solution he finds in his so-called "organic solution."

Individualists and socialists always argue as if there was a natural antithesis between the individual and the state. Mr. M'Kechnie, it seems to us, deserves credit for the convincing way in which he combats this assumption. The relations between the state and the individual are essentially organic. "One without the other is a lifeless and indeed meaningless abstraction. All societies and all institutions are both socialistic and individualistic in their nature. What is wanted is not a mere compromise, but a principle which combines and transcends both classes of tendencies in a higher and nobler unity." This he finds in his organic solution. The keynote to this system is found in the following paragraphs (pp. 266 and 268): "The conception of an organic state involves two fundamental principles. In the first place, as nothing that affects the part can be indifferent to the whole, the state is bound by its laws and government to aim jointly with the citizen at the perfect development of every individual in the community. Nothing is beyond the proper sphere of government in pursuing this high end. In the second place, while nothing is suffered to remain outside the state, fit provision must be made for every individual enjoying a full life within it. . . . The organic theory alone fully explains all the problems of society and government, while it finds a place within it for the apparently conflicting tendencies of a socialistic and individualistic nature respectively—tendencies which are equally indispensable for the welfare of mankind, and equally ineradicable from the life of every community. Socialism and individualism are in the political world what the forces of attraction and repulsion are in the natural world. They seem opposed, and yet neither could exist without the other, while in the final unrestrained triumph of either, the whole established order of things would dissolve and pass away. . . . Political science can neglect neither the forces of integration nor those of differentiation. While maintaining the sovereignty of the whole and the coercive powers of the government, it must avoid all systems of slavery, and again, without neglecting the liberty and right of initiative of the social atom, it must provide against anarchy and disintegration. Nothing short of the organic theory can reconcile these contending interests and tendencies."

The organic theory means really private initiative and state control. The state must act for the most part by an indirect regulative

oversight rather than by its direct control or management. "It is possible, indeed," the author says, "to imagine a state of the future in which both the socialistic and individualistic tendencies of the present are exaggerated and yet robbed of their evils through the operation of an increased government control and government management." This distinction between direct and indirect control is made the keynote of the argument throughout the work. Though there is nothing strikingly original in this position, the manner in, and extent to which it is applied give a positive value to Mr. M'Kechnie's work. The essay is concluded by a series of chapters in which the application of this theory is made to practical politics.

On the whole, therefore, Mr. M'Kechnie's work cannot be considered as an original contribution to political science; nor indeed does the author make any such claim for it. It cannot fail, however, to be read with interest by those who are searching for a safe path between the Sylla of socialism and the Charybdis of individualism.

WILLIAM FRANKLIN WILLOUGHBY.

Washington, D. C.

State Aid to Railways in Missouri. By JOHN W. MILLION, A. M.
Pp. xiv, 264. Chicago: The University of Chicago Press, 1896.

Mr. Million has written a detailed history of Missouri's experiences in giving aid to railways; and, for purposes of comparison, the author has outlined the results which followed the aid given to internal improvements by the other states. The forty-six pages devoted to the other states contain much information in a compact form and show that Missouri's policy, once adopted, did not differ greatly from that pursued by the other commonwealths.

Missouri gave little assistance to railways or other forms of internal improvements before 1851. The first chapter of Mr. Million's work is concerned with the period from 1806 to 1850, and shows that during this period Missouri was more conservative than other states. The aid given by the states to internal improvements was granted chiefly during the three periods of great speculation that came between 1830 and 1873, and the action of the states may be considered as a part, and an important feature, of those times of speculation. Missouri safely weathered the speculative period, ending in the crisis of 1837, without making any large appropriations of her credit or her funds; but during the active years which preceded the financial disturbance of 1857, she gave large aid to railway enterprises. Again, when the war closed, the treasury of Missouri was further raided in

the interest of railway enterprises. Between 1851 and 1868 Missouri contracted a railway debt amounting, in principal and accrued interest, to \$31,735,840. Between 1864 and 1868 the state disposed of her interest in the various railway companies she had aided for \$6,131,496; the net result of her railway investments thus being a debt of \$25,604,344. The story of the way in which Missouri's policy was initiated and executed, a portrayal of the influences which led the state from one act to another, and an account of the financial results of the policy pursued, constitute the contents of four well-written and lengthy chapters of the book. The closing chapter of the book is devoted to a brief summary and the author's conclusion. Other states had experiences similar to Missouri's and had to face like disastrous financial results. When they came to pay their debts, however, not all states were so honorable as Missouri was. That state never showed any symptoms of repudiation.

The book is not written to prove any thesis but "merely to present some information on state aid to railways that may be of value in the present discussion of somewhat similar questions." Accordingly the author carefully avoids discussing the question of the state ownership and management of railways, and it is only in the closing chapter of the book that he allows himself to express an opinion on that question. He is not an advocate of state ownership, and it is not surprising; for, although the author says in his closing sentence that "the foregoing study is not an argument for or against state activity in industrial matters," the book is really the strongest argument against state ownership of railways in this country that has yet appeared.

Mr. Million has done an excellent piece of work. The book is written in a thorough, painstaking and impartial manner from beginning to end, and every student of transportation will find the work instructive. It is to be hoped that this book may lead other graduate students to undertake similar studies. The history of the relations of each state to its transportation agencies should be investigated and made the subject of a monograph. Until this has been done we shall not possess the data pre-requisite to the fruitful discussion of American transportation. A beginning has been made. We now have Mr. Million's monograph and the excellent work on "State Railroad Control in Iowa," by Dr. Frank H. Dixon. Some other states are now being studied, and there is promise that before long we shall be in possession of several volumes of scientific transportation literature dealing with American conditions and experiences.

EMORY R. JOHNSON.

History of Proprietary Government in Pennsylvania. By WILLIAM R. SHEPHERD, Ph. D. Columbia University Studies in History, Economics and Public Law. Vol. VI. Pp. 601. Price, \$4.50. New York: The Macmillan Co., 1896.

After the research given almost exclusively to our federal constitutional development, attention is now being called to that of the colonies and states. This tendency toward a new direction of American political and historical studies must indeed be welcome to all who desire to deepen the existing well of our information in this field. For this reason alone, therefore, the "History of Proprietary Government in Pennsylvania" is deserving of attention. The work is divided into two parts: I., The Land; II., The Government of the Province. Recognition is thus given to a factor in our political development which has been but too often overlooked, the powerful influence exerted on the political and administrative organization of the various colonies by the nature and distribution of the land-holdings. In this connection Dr. Shepherd treats the early land-grants, the organization of the proprietary land-office, the rights and prerogatives of the proprietors in respect to land, the transfer of such rights to the state by the divestment act of 1779, boundary disputes with neighboring colonies and like matters, with some detail. The main interest of the essay, however, centres in the second part, where the author sketches briefly Penn's original ideas of government, his humanitarianism and his unselfish and determined espousal of democratic ideals. Penn insisted that the people must rule and wished "to leave to himself and successors no power of doing mischief, that the will of one man may not hinder the good of a whole country." Considerable space is devoted to the dissensions between the settlers and the proprietor, the mistakes of the latter and the exacting and arbitrary demands of the colonists. A more complete picture would perhaps be presented were the needs and claims of the settlers treated somewhat more fully with reference to their origin and growth. Considered, however, as an impartial history of this period from the governmental or proprietary side, the work may be regarded as a valuable addition to the literature of the subject.

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International Bimetallism. By FRANCIS A. WALKER. Pp. 297. Price, \$1.25. New York: Henry Holt & Co., 1896.

As the subject of international bimetalism promises to be prominent in the discussions of the coming Congress, it is worth while

to call attention to the last work published by General Francis A. Walker. The book has not received the attention which it deserves. Its publication during the free silver campaign is probably responsible for the coldness of its reception by newspaper critics. As a whole it could not be used as a campaign document by either political party. It pointed out the disadvantages of monometallism and was, therefore, unpopular with the advocates of the single gold standard. On the other hand, no intelligent, unprejudiced reader could finish the book without coming to the conclusion that the free coinage of silver in this country alone would result in a useless and hurtful transition to a single silver standard. General Walker's book, therefore, while it has been denounced and derided by superficial critics, has received little candid consideration, and the general public is probably in ignorance of its merits and of its real purpose or thesis.

For twenty years General Walker was the foremost advocate of bimetallism on this side of the Atlantic. He never concealed his views upon the subject and in his various works, which have probably been more widely read than those of any other American economist, the advantages of bimetallism have been clearly and vigorously set forth. In collecting into a single volume a concise statement of what he conceived to be the argument for bimetallism, he was but continuing a scientific work which had occupied a large part of his life and it could not have occurred to him that any man having intelligence enough to read his book would yet be stupid enough to suppose that he favored the independent free coinage of silver in this country, a policy utterly discredited by the fundamental assumptions underlying his whole argument. "International Bimetallism" presents various reasons for dissatisfaction with the single gold standard, but there is not a line in it favoring the independent free coinage of silver in the United States. No one can question the candor with which he says in the preface: "While this little work, as the account of its origin shows, was prepared without the slightest reference to the impending political contest in the United States, I shall be glad if it proves to be in any degree instructive with reference to the question which is destined to underlie that great struggle."

The book is the outcome of a course of lectures given at Harvard University during the academic year 1895-96. It is popular in form and style, and can be read with understanding by men who have not had a training in economic theory. General Walker was too experienced a teacher not to know that he could very easily shoot over the head of the average university student. In the first of the eight

chapters he gives an interesting sketch of the early production and use of the precious metals. He points out clearly the significance with respect to mining of the change from slave labor to free labor, and the wastefulness of the policy which placed the mines at the disposal of the irresponsible farmer. In the second chapter he discusses briefly the monetary problems of the period from Augustus to Columbus and explains certain general propositions relating to the theory of money. Bimetallism in England is considered in the third chapter. This is followed by a sketch of French and American bimetallism; then a concise chapter upon the demonetization of silver and a review of the important conferences and commissions which have had the money question under consideration since 1875. The book closes with a remarkably clear summary of the leading facts and arguments bearing upon the whole discussion.

Much material not contained elsewhere in any single volume is found in this book. Almost every issue which has arisen in monetary discussion since 1870 is touched upon, so that a thoughtful reader is able to get from the volume a fairly comprehensive acquaintance with the whole subject. But the arrangement is defective. Theory is so interwoven with fact that considerable skill is required to disentangle the argument. In the chapter headed "Augustus to Columbus" we find a brief statement of the quantity theory of money; half the chapter on "French Bimetallism" is devoted to an exposition of the benefits of bimetallism, while the greater part of the "Review and Summary" treats of falling prices and credit. It is unfortunate that the theoretical discussion is thus scattered through the book, for no reader can perceive the significance of financial events until he has mastered the fundamental principles in the theory of money. The general reader who wishes to understand this book thoroughly, ought first to read either the author's work on "Money" or the chapters relating to money in his "Political Economy." Having thus obtained a grasp of the theory of the subject, he will find the volume on international bimetallism easy and profitable reading.

General Walker's argument on behalf of bimetallism is threefold: First, it will yield a more stable standard of value than monometallism; second, it will give the silver and gold countries of the world a common par of exchange; third, "the argument from the status," to wit: it would check the present downward tendency of prices and thus encourage all forms of industry. The first argument is in the main theoretical, but he endeavors to show that it does not lack inductive confirmation. This object he has in view throughout all his discussion of bimetallism in England, France and the United

States. He certainly makes it appear that the facts are on the side of the bimetallic law. If one denies the so-called bimetallic law, according to which the world's money demand under bimetallicism shifts from the dearer to the cheaper metal, thus preventing wide divergence from the coinage ratio, it is difficult to explain why gold and silver, despite great variations in product-ratios, varied so little in their value-ratios during the first seventy years of this century. General Walker makes this point very clear, but he does not make so clear as he might have done the reasons why the metals did not steadily conform to the French coinage ratio of $15\frac{1}{2}$ to 1. Various countries, including the United States, were offering commodities for sale for gold or silver at ratios different from that of the French mint. This fact furnishes abundant *a priori* reason for expecting to find the two metals exchanging at other than the French ratio in the markets of the world. Indeed, the French ratio was only a coinage-ratio, and on account of the different seigniorage charges upon gold and silver it could not have coincided with the value-ratio between the two metals. The seigniorage was nine francs per kilo on gold and three francs on silver. Thus the value-ratio between the metals corresponding to the coinage-ratio was 15.69 to 1, and the two metals might fluctuate in value from 15.45 to 1 to 15.74 to 1 without any chance for profit from the melting or exportation of gold or silver coin. General Walker touches upon this matter, but he does not give it sufficient emphasis.

It is doubtful whether the average reader will get a clear idea of the relation of so-called market value to the coinage value of gold and silver. The free coinage of a metal for use as money makes the metal itself money, adds to it a utility which it formerly did not possess, and makes it, therefore, the object of an entirely new demand. This demand is felt in all the markets of the world and helps make what is called the market value of the metal. This is an important theoretical consideration, since many writers, especially those who advocate monometallism, tacitly assume that the market value of gold or silver is purely an affair of commerce, the result of forces entirely independent of mints and statutes. As a matter of fact, however, no country can adopt either gold or silver as money and open its mints freely to the coinage of either metal, without affecting the market or so-called commercial value of the metal. In fact, there is some reason for believing that the money demand for gold at the present time contributes more to its market value than what is called the commercial demand. It is a favorite assumption of the monometallist that the value of gold is due to its uses in the arts and its cost of production, and that its use as money does not add

to its value. These are matters of theory, but they are of vital importance. Until they are agreed upon there can be no settlement of the controversy between monometallist and bimetallist. General Walker understood the theoretical side of the argument thoroughly, and it is to be regretted that he did not, in this book, give more space to a statement of it. He frequently uses the expression "market-ratio" as if it were a thing having no connection with the use of the metals as money. This will confuse the reader who seeks clear ideas.

Little fault can be found with General Walker's statement of what is known as the quantity theory of money. It is nothing more or less than the law of demand and supply applied to money. However, he gives so little space to the theory in this book that a reader who has not had a general training in economics will fail to perceive the full force of his argument. He lays himself open to criticism by the use of such language as "insufficiency of gold" and "restricted money supply." Those phrases throw the emphasis upon supply. They imply to the careless or prejudiced reader that prices have fallen in recent years because of changes in the supply of gold. The monometallist promptly sticks a pin in them by pointing triumphantly to the increasing production of gold in recent years. General Walker's meaning is that the demand for gold has increased at a faster pace than its supply, and that in consequence its value has risen, prices falling correspondingly. Scientifically the phrase "insufficiency of gold" is justifiable. It means simply that the amount of gold in the world is not sufficient to maintain prices at the old level. Yet the change in the value of gold is due to the increased demand for it, and a writer who does not wish to be misunderstood must avoid language which puts the emphasis upon the supply.

General Walker shows, perhaps, too little patience with the monometallist's contention that the recent fall in prices has been caused by improvements in production. It is not strange that he was impatient with this theory, for its advocates have frequently deduced from it the remarkable conclusion that gold has not risen in value, but that all other things have fallen. Improvements in production, growth of population and an increasing volume of exchanges, these things mean simply an increased demand for money, and if the supply of money does not increase in something like equal proportion, prices must fall. On the other hand, all these changes might take place and yet prices not fall, for the supply of money might be increased more rapidly than the demand for it. The theory that gold has not appreciated because the fall of prices has been due to

improvements in production may not be "monstrous," as General Walker calls it, but unless we invent new definitions of the words "value" and "appreciation," we must admit that he is right in calling it "absurd."

JOSEPH FRENCH JOHNSON.

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NOTES ON MUNICIPAL GOVERNMENT.

AMERICAN CITIES.

Direct Employment of Labor by Municipalities. The question of the direct employment of labor by municipal authorities is becoming one of increasing importance. The unsatisfactory results of the contract system have been apparent, for some years past, to those engaged in municipal work. Direct municipal control in the execution of public works is being advocated by many of the leading officials in the larger cities. Within recent years another aspect of the question has been attracting considerable attention. The possibility of greatly improving the condition of labor under direct municipal employment has been conclusively proven in several recent reports upon the subject. The policy of the London County Council, was one of the first and most important steps in this direction. While maintaining the high standards adopted at the very start, the council has been able to influence indirectly the general condition of labor in the various trades. It was thought at first that this new labor policy could only be maintained at the expense of the tax-payer. Bitter attacks upon the council were made by the more conservative elements in the community; claiming that the council had adopted a philanthropic scheme of employment which would result in the pauperization of the working classes. The results have negated all such forecasts. The true economy of the policy thus adopted has shown itself in two distinct ways: First, through the greater efficiency of labor thus employed; secondly, through the reduction of the cost of inspection and supervision over the execution of public works. The important part played by the latter element has been very generally neglected in discussions of the subject; but it constitutes one of the most important items of expenditure and tends greatly to increase the cost of contract work. The recent report of the Department of Labor* on the rate of wages paid under public and private contract, tends to fully confirm the facts of English experience. It is only necessary to cite one or two of the many trades covered in this report. Thus, in Baltimore, blacksmiths employed on public work directly by the city or state, and working fifty-four hours per week were paid from 22¼ to 30 cents per hour. Those employed on public work by contractors

* Published in the *Bulletin of the Department of Labor*, Washington, November, 1896. The investigation was conducted by Ethelbert Stewart and covers the cities of Baltimore, Boston, New York and Philadelphia.

and working sixty hours per week only received from $17\frac{1}{2}$ to 26 cents per hour; the same wages being paid by contractors employed on private work. Again, in the same city, carpenters employed directly by the city were paid an average wage of $32\frac{1}{4}$ cents per hour; those employed by contractors on public work were paid but $25\frac{3}{4}$ cents, while those engaged on private work by contractors were paid $26\frac{1}{2}$ cents. The report furthermore cites an interesting instance from the city of Boston, where the work of sprinkling streets was taken over by the city in 1895. In one district the cost under the contract system was \$5128.50; under direct municipal management but \$2540.

New York.*—General Character of Mayor Strong's Administration. As the end of Mayor Strong's term of three years approaches, it becomes possible to form an estimate of the meaning and the value of the results accomplished by his administration. He was elected in November, 1894, by a combination of all the political forces in the city opposed to Tammany Hall, under the leadership of the Committee of Seventy. All the candidates of that committee accepted the platform of the committee which contained the following declaration:

"Municipal government should be entirely divorced from party politics, and from selfish personal ambition or gain.

"The economical, honest and business-like management of business affairs has nothing to do with national or state politics.

"We do not ask any citizen to give up his party on national or state issues, but to rise above partisanship to the broad plane of citizenship, and to unite in an earnest demand for the nomination and the election of fit candidates, whatever their national party affiliations."

Mayor Strong took office on the first of January, 1895, pledged to administer his office in accordance with these principles. The result has been one of the most interesting episodes in the political history of the city. A general examination of the administrative work of Mayor Strong's government leads to the conclusion that during the past three years the city has had a striking illustration of the soundness of the theory that municipal administration ought to be separated at every point from mere party politics. This illustration presents two aspects. Upon the one hand, those heads of departments who have been appointed by Mayor Strong solely with reference to their qualifications have brought their departments to a state of efficiency far in advance of anything attained under the old Tammany régime. On the other hand, Mayor Strong's administration has presented instances of appointments to important offices made wholly or in part for political reasons; and, as a rule, these appointments have resulted in a continuance, to a greater or less

* Communication of James W. Pryor, 1894.

extent, of the abuses which under Tammany were prevalent in all departments of the city government. As a whole, the administration has been a great improvement.

Citizens' Union. The Citizens' Union has continued with industry its efforts to insure a united attempt on the part of all good citizens to elect at the November election municipal officers for the Greater New York who will administer the vast affairs of the new community for the benefit of the people, and without reference to political conditions. As it has become more and more apparent that the union meant to stand by its principles, and not to seek an alliance with any political machine, the representatives of boss rule have shown signs of distress which indicate that they see serious danger in the attitude of the union. Senator Platt and Mr. Edward Lauterbach have assailed the union with considerable vehemence, through the newspapers, Mr. Lauterbach going so far as to declare that he would prefer for mayor of the Greater New York an out-and-out Tammany man to any representative of the ideas advocated by the Citizens' Union. It is true that the gentleman who has succeeded Mr. Lauterbach recently as chairman of the republican county committee is more conciliatory. The temper of the union was shown at a meeting of its central committee of two hundred and fifty on the fifteenth of June, when the following resolution was adopted almost unanimously:

“Resolved, That it is the purpose of the Citizens' Union, as soon as practicable, to secure independent nominations for all offices to be filled in the city of New York at the next election.”

On the seventh of June, the executive committee of the union which had approached Mr. Seth Low with the suggestion that he should become the union's candidate for the office of mayor of the Greater New York, received from him a letter in which he said that he was not at the time prepared to accept the nomination, and that he would not be inclined to accept it unless he were convinced that the demand for his candidacy was general among good citizens, and that his candidacy would prove to be a “unifying force among the friends of good government.” Since that time the union has been engaged in securing from voters written expression of their desire that Mr. Low should become the candidate of the union; and it is believed that this expression is already so strong that it will be accepted as conclusive proof of the existence of the popular demand for the nomination of Mr. Low. Organizations similar to the Citizens' Union have been started in other parts of the Greater New York territory; and with the nomination of a strong ticket, untainted with machine politics, the movement would probably assume

formidable proportions. In the present city of New York, the peculiar territory of the Citizens' Union, the enrollment of the union is about 20,000, and the enrollment of voters desiring the nomination of Mr. Low about 50,000.

Street Railway Franchises. A warmly contested struggle is being waged between the various street railway companies for the control of the street railway system in the upper part of Manhattan Island. The contestants are the Metropolitan Traction Company and the Third Avenue Railway Company. The Metropolitan Company, the lessee of the Sixth and Eighth Avenue Railway system, applied for permission to change the motive power to electricity. The Third Avenue Company, which desires to obtain control of these lines, is urging upon the city authorities the advisability of exercising its option to purchase the system and re-lease it to another company. The original franchise grant of 1851 required the companies to file a statement of the cost of the road and gave to the city the option to purchase the same at an advance of ten per cent upon its cost. The Third Avenue Company offers to the city a bonus of \$10,000,000 on such cost of purchase, or will lease the roads, agreeing to pay to the city ten per cent on the cost of purchase plus an annual payment of five per cent of gross receipts. Soon after this offer was made, several individuals and companies offered to purchase the roads at a still more favorable valuation. The Metropolitan Company denies the right of the city to purchase the roads. The question has been submitted to the supreme court for an opinion. The report of the State Railroad Commission shows that the cost of the Sixth Avenue Road was \$621,602, and of the Eighth Avenue, \$665,181. It is evident that under such conditions of purchase the city treasury would receive a very large surplus. In this connection the recent decision of the court of appeals is of importance. The decision declared the building and operation of railways a distinct municipal purpose, thus disposing of one of the preliminary questions as to the possibility of municipal control and management of the street railway system.

Governor Black's Civil Service Bill.—In pursuance of his expressed determination to "take the starch out of the civil service," the governor procured, during the last days of the session of the legislature, the passage of a bill designed to introduce in a modified form the vicious principle of examinations under the control of the appointing power. The bill was condemned by all the friends of civil service reform; but the governor's signature has now made it law. It is of particular interest to the people of this city, because of the greatly increased opportunities for partisan use of the public service by any political machine that may secure control of the government of the Greater New York.

Constitutional Amendment.—The recent action of the New York Legislature on the Greater New York charter has proven the inadequacy of the constitutional provision which was intended to secure a greater degree of municipal home-rule. It will be remembered that one of the most important questions before the State Constitutional Convention of 1894 was the formulation of greater restrictions upon the power of the legislature in its relation to the municipalities. The clause finally adopted provided for the division of the cities of the state into three classes. Bills affecting municipalities are divided into two classes:—general city bills are those affecting all the municipalities of the class, and special city bills were those affecting less than all the members of one class. The constitution requires that special city bills be submitted to the mayors of the cities affected, and that in case of veto they be re-passed by the legislature. It was expected that this provision would prevent the passage of laws obnoxious to the city authorities. The veto of the mayor of New York on the Greater New York charter was completely ignored by the legislature. The mayor's objections were confined to three points:—First, the provision for a bicameral city legislature; second, the perpetuation of the bipartisan police board; and, thirdly, the restriction of the power of removal, without charges, to the first six months of his term. All three of these points are fundamental to the system of government provided for in the charter, but made no impression upon the legislature.

Philadelphia.—A recent decision of the Supreme Court of Pennsylvania will seriously retard work on some of the larger undertakings upon which the city has embarked during recent years. Two loans of \$8,000,000 and \$3,000,000, respectively, have been authorized by the city council for the purpose of constructing a filtration plant, improving the gas works, the schools, and for other urgent purposes. The constitution provides (Article IX, Section 8) that "The debt of any city, county, borough, township, school district, or other municipality or incorporated district, shall never exceed seven per centum upon the assessed value of the taxable property therein, nor shall any such municipality or district incur any new debt, or increase its indebtedness to an amount exceeding two per centum upon such assessed valuation of property, without the assent of the electors thereof at a public election in such manner as shall be provided by law." The court holds that these two loans would take the city beyond the two per cent limit, and that a special election authorizing the same will be necessary. Whether such authorization will be obtained remains to be seen. Until this is done, however, great inconvenience will result from this sudden crippling of the city's finances.

Boston.*—*This Year's Municipal Legislation.* The law separating the public institutions of Boston is an important measure. Several years ago it was evident that the treatment of the inmates of the public institutions was governed more by motives of so-called "economy" in administration than by humane principles. A special board of visitors, appointed by Mayor Matthews, made recommendations for improvement, but these were not followed. Two years ago the commission of three in charge of the institutions was abolished and a single commissioner was constituted the head. While this effected a greater efficiency in management it was felt by those interested in public charities that it did not touch the root of the trouble, for the number of inmates in the institutions was so great that the charge was too much for one administration, while the requirements of the various classes called for entirely different forms of administration, according to the necessities of each class. Agitation to this end became most earnest, and the opinion of experts was unanimous in favor of the change. Proposed legislation was unsuccessful last year, but this year the desired change was made. In consequence the institutions are now separated into four classes, comprising respectively, the criminals, the paupers, the children and the insane. The paupers' institution department, the insane hospital department and the children's institution department are each placed in charge of boards of seven trustees, appointed by the mayor and not subject to confirmation. At least two members of each board must be women. The terms of the trustees are for five years each, with the customary provision for shorter terms in the earlier years. The penal institution department is placed in charge of the present institutions commissioner. A fifth department is the institutions registration department, in charge of the registrar of institutions, who is required to investigate and report upon cases that concern any of the several institutions. It is required that conferences shall be held at least four times a year between the mayor, two members from each board of trustees, the institutions commissioner, the registrar of institutions, and two members of the board of overseers of the poor, with a view to co-ordinating and advancing the work of the several departments.

Mrs. Alice N. Lincoln, who has led in the movement for this reform, calls attention to the beneficial results of a similar separation of institutions in New York City since January 1, 1896, where the condition of the inmates has already been greatly improved and the city has been saved a charge of between 400 and 500 cases needlessly supported at its expense.

The new Department of Municipal Statistics recommended by Mayor

* Communication of Sylvester Baxter, Esq.

Quincy has been constituted by the city council and the following five members have been appointed commissioners in charge, serving without pay: Lawrence Minot (chairman), Professor Dewey, of the Institute of Technology; Sumner B. Pearmain, Robert Woods and Dr. Hartwell, Director of Physical Training in the Public Schools. The City Engineer, Mr. Jackson, is a member of the board *ex-officio*. The normal terms of appointed members are five years, but at the beginning members are appointed for terms of five, four, three, two and one years. Important lines of statistical inquiry will be entered upon as soon as possible.

An act supplementary to that to consolidate the board of aldermen and the common council and reorganize the city government provides that, in case said act be accepted by a majority of the voters, no measure for the appropriation or expenditure of money, or granting any location, franchise, right or privilege in or under a public way, shall be passed by the city council unless it receives two separate readings, the second at least one week after the first; to pass such a measure over the mayor's veto a vote of two-thirds of all the members of the council is required. The date for holding the annual municipal election is changed to the third Tuesday in December.

An act establishing the Cemetery Department of the city of Boston places Mount Hope Cemetery and the other burial grounds belonging to the city in charge of a board of five trustees, appointed by the mayor, subject to confirmation by the board of aldermen.

An act relative to sewerage works requires the city council to appropriate annually a sum not exceeding \$1,000,000 for constructing sewerage works, as ordered by the street commission, and also sums sufficient for maintaining and operating said works. A peculiar feature of the act is that providing for the bringing of suits for damages for property taken before a jury of the superior court of the adjacent county of Middlesex, rather than in Suffolk county. Under the policy governing remunerative municipal enterprises and investments, like waterworks, parks, etc., these sewerage loans are placed outside the debt limit of the city. The street commission is required annually to determine just and equitable charges upon estates for construction, maintenance and operation of the sewerage works, taking into consideration in fixing the charges the necessity of the works as caused by each estate, the amount of use thereof, if any, by the estate or its occupants, the benefit received therefrom by the estate, the amount of sewerage assessments previously paid, length of time since such payment, the use heretofore made of the sewerage works by the occupants of the estate, and such other matters as shall be deemed just and proper. This practically

applies to sewerage the same principle governing the fixing of water rates.

Under the act which legalized the acceptance by the city of the gymnasium recently presented by a public-spirited lady, Boston is authorized to establish public gymnasia, not exceeding one to each ward, and to accept donations of lands or buildings fitted with gymnastic apparatus.

Greater Boston Legislation. The metropolitan park commission, established in 1893 for the Metropolitan Parks District, comprising Boston and the surrounding group of municipalities known as Greater Boston, has been authorized by the legislature to expend \$1,500,000 in its work, in addition to the sums appropriated in previous years, amounting to \$2,800,000. Of this amount, \$500,000 is for general purposes and \$1,000,000 for constructing roadways and boulevards within and connecting with its park reservations.

Portions of the towns of Lexington and Wakefield have been added to the Metropolitan Sewerage District, and the metropolitan water commission has been authorized to admit the town of Stoneham into the Metropolitan Water District on application of said town.

Omaha.*—Omaha is now being governed under the new charter which was enacted by the late fusion legislature and went into force March 15 last. The constitutionality of the charter was attacked in the courts but the law was upheld in all essential points in a decision handed down by the supreme court the last week in June.

Under the new charter the principal executive officers, namely, the mayor, city clerk, city treasurer, comptroller and police judge are continued and the new office of tax commissioner created. Of the appointive offices a number were discontinued, among them three sinecure salaried places by the board of public works. The term of the new officers who were elected in April and took their seats in May, is for three years. In order to separate the municipal election from the state and county elections a separate city election was established for March of each third year. The powers of the government remain vested in the Omaha council, but the council is reduced from eighteen members to nine members who, while chosen from the separate wards, must be elected by the voters of the entire city.

Aside from the reduction of the salaries and the abolition of a few useless offices there are several interesting features in Omaha's new municipal charter. With respect to the granting of franchises the charter provides that no ordinance granting or extending any franchise shall be passed for two weeks after its introduction nor

* Communication of Victor Rosewater, Esq.

until it has been published daily for two weeks and no new franchise shall be granted, nor existing franchise extended except with an annuity to the city based upon either a fixed amount every year or a percentage of the gross earnings, nor until approved by a majority vote of the electors at a general or special election.

In order to obviate the regularly recurring contest for designation of the official organ of the city, and at the same time to enable people of all political parties to see the city official notices, the charter itself establishes the rate which shall be paid for such advertising and makes it incumbent upon the council to designate two established daily newspapers which shall signify their acceptance of the terms.

A peculiar provision also exists in relation to disputed claims against the city for labor and material. According to this section no such bill for labor or material which has been adversely reported or rejected by the administration under which it was incurred and no bill not presented within eighteen months from the time it became payable can be allowed and paid by any subsequent administration except through an order of the court in which it has been sued and judgment secured.

The power of the mayor and council to order street improvements at the expense of the abutting property owners are similar to those which prevail in other cities, but a distinction is made between paving and repaving. The council is empowered to order the paving of streets within 3000 feet of the court house without respect to the wish of taxpayers against whose property the cost is to be assessed. Beyond that limit the power of the council to order paving exists on condition that a prescribed percentage of the property owners do not enter formal protests. For repaving, on the other hand, a petition of the owners of a majority of front feet abutting is necessary to give the council jurisdiction.

The intention of the new charter in establishing a special tax commission was to secure a separate assessment on personal property for city taxation. Inasmuch as such an assessment is expected to increase the tax valuation, the amount of the authorized levy for a special fund which has heretofore been a percentage of the total levy has been changed to a fixed sum enumerated in the charter for which municipal taxes may be levied.

The new charter is specially stringent with respect to city officials being interested directly or indirectly in contracts with the city. It also contains an express prohibition upon the city officials, agents and employes from receiving or soliciting any contribution of money or supplies of any kind or receiving special privileges at the

hands of any city contractor or any franchised corporation. All officials and agents of the city are also prohibited from soliciting or receiving, directly or indirectly, the political support of any contractor, franchised corporation or railroad company for any municipal election or for any other election or primary election, and franchised corporations and railroad companies are prohibited from furnishing or appropriating any money to promote the success or defeat of any person in any election or primary election held in the city, or to promote or prevent the appointment or confirmation of any appointive official of the city. The violation of this provision on the part of a city official is declared to be malfeasance which shall subject him to removal from office and a fine not exceeding \$500. A violation on the part of a franchised corporation will work a forfeiture of its franchise and the imposition of a fine not exceeding \$500 upon it and every officer or agent implicated therein. Any officer or agent of the city who shall make a demand for money or other valuable consideration upon a franchised corporation or a public contractor under threat to introduce or vote for a measure adverse to their interests or promise to prepare or introduce a bill favorable to such company or contractor also subjects himself to the penalties for malfeasance.

While the new Omaha charter was passed by the legislature largely as a political measure with the expectation on the part of the fusion legislature that it would result in a fusion victory at the first city election held under it, this expectation was disappointed and the Republicans continued in control of the city government. While it is perhaps too early to render judgment upon a charter which has been in force only three months, with a few minor exceptions, it seems to be an improvement and to be working satisfactorily to citizens and taxpayers.

Missouri.—*Street Railway Franchises.* The eighteenth annual report of the Bureau of Labor Statistics contains a discussion of the payments by street railway companies to the cities of the commonwealth in return for franchise privileges. The comments of the commissioner upon the relation of the street railway companies to the cities of St. Louis and Kansas City, show that franchise grants have been made with little or no attempt to secure anything like an adequate return. In the city of St. Louis some three hundred miles of street have been granted; the value of the franchises being estimated by the commissioner to be nearly \$30,000,000. Taking 5 per cent as the legitimate return upon the value of these privileges, the commissioner concludes that the city ought to receive \$1,478,582 annually. Instead of this, however, but \$47,500 are paid. Were the street

railways to pay this annual rental of nearly \$1,500,000, their profits would still be $5\frac{3}{4}$ per cent on the capital invested.

In Kansas City, the conditions are less favorable than in St. Louis. Here the companies pay absolutely nothing for the privilege of occupying some sixty-three miles of street. The commissioner estimates the value of the franchises at \$6,014,580, a 5 per cent return upon which would bring into the city treasury some \$300,729 annually.

One part of the report is devoted to a discussion of the evasion of taxation by the street railway companies. The commissioner shows that the valuation of the lines is far below their actual value. Thus, the actual value of the St. Louis street railways is \$37,987,000; they are assessed, however, at \$4,246,190; in other words, but 11.17 per cent of their true value. Private property on the other hand is assessed at 50.40 per cent. The commissioner in drawing conclusions from this condition of affairs points to the political influence exercised by the street railway companies as the true cause.

FOREIGN CITIES.

Paris.—*Underground Railway.* During the last few years the construction of an underground railway has been occupying an important place in the discussions of the municipal council. The means of communication, especially in the central portions of the city, are utterly inadequate to meet the needs of passenger and freight traffic. Complaints in regard to the former at least have been continuous and well founded. The plan for a system of underground rapid transit has been before the public since the Exposition of 1889; the lack of proper facilities having been particularly evident at that time. Since then the project has not slept. The municipal council has been anxious to see a portion of the work completed before the Exposition of 1900. As soon as the question of method of construction came before the council radical differences of opinion made themselves felt. A considerable number favored the construction, management and control by the municipality; others advocated private construction and management. The majority, however, favor construction by the municipality, but management by a private company. Although the final decision has not as yet been reached, it is probable that this latter system will be adopted. The committee, in a report to the council, recommends the following conditions of lease:

1. The company to pay to the city one cent (five centimes) for each passenger carried. The committee estimates an annual traffic of 110,000,000, which will mean an annual payment of \$1,100,000.

The cost of fare is not to exceed five cents for first class and three cents for second class. Special workmen's return tickets at the rate of three cents must be issued.

2. The term of lease is to be thirty-five years, at the end of which the city enters into full possession of all the lines.

3. The motive power is to be electricity, or some force other than steam to be approved by the council.

The length of lines as planned is to be about forty-five miles, crossing the city in different directions. It is interesting to note that after having given the various systems of adjusting relations with private companies a fair trial the authorities have determined to hold to the "proportion of gross receipts" as the fairest and least troublesome method.

Unification of Administration. The agitation for municipal home-rule is quite as strong in Europe as in the United States. The spirit of centralization which characterized the Napoleonic legislation placed the municipalities in the power of the central government. The mayor, members of the town council and city officials were under the Napoleonic régime, appointed by the central government. With the exception of two reactionary periods the tendency of French legislation since 1815 has been toward assuring to the municipalities a greater measure of home-rule. Paris has never profited by the change; the central government being unwilling to lessen its control over the administration of the capital. A bill, recently introduced by M. Alphonse Humbert, accompanied by a detailed report, has brought the question before the French Parliament. It is probable that the government will make certain concessions to the principle of home-rule. During the last few years a distinct change in the spirit of enforcement of the law has taken place. The central government has been extremely careful to limit its direct interference in municipal affairs. As a result the power of the municipal council has greatly increased. The next session of the legislature will probably bring a change in the relation between the state and municipal authorities.

SOCIOLOGICAL NOTES.

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Atlanta Conference on Negro City Life.—In the ANNALS for July* some account was given in the Sociological Notes of the investigation conducted by the University of Atlanta, concerning negroes in cities. An analysis of that work, together with numerous tables, was published by the United States Department of Labor in its *Bulletin* for May. It was also stated that the facts brought out in that investigation were made the subject of discussion at the second Conference for the Study of Problems concerning Negro City Life held at Atlanta University on May 25 and 26 of this year. The papers and outlines of the discussions on that occasion have just appeared in print as "Atlanta University Publications No. 2." Much credit is due to Mr. George G. Bradford, a lawyer of Boston and a trustee of Atlanta University, for his persistent efforts to organize practical conferences on a strictly scientific basis as a part of the public duty of the Atlanta University in dealing with the question of the proper education of the negro. The whole tone of the two gatherings that have been held thus far has been of a far-reaching and helpful character.

One of the papers summarized the results of the investigation as follows:

First.—All the data in the investigation have been gathered by intelligent colored men and women living in the communities covered (chiefly Southern cities). These investigators were not hindered by obstacles which make it difficult for a white man to get accurate information of the family life, habits and character of the colored people. These colored investigators cannot be charged with prejudice and designs against the interests of the colored people. For these reasons their work is thought to be more than usually accurate and reliable.

Second.—Overcrowding in tenements and houses occupied by colored people does not exist to any great extent, and is less than was supposed.

Third.—In comparison with white women, an excess of colored women support their families entirely, or contribute to the family support, by occupations which take them much of their time from home to the neglect of their children.

* Vol x, p. 143.

Fourth.—Environment and the sanitary condition of houses are not chiefly responsible for the excessive mortality among colored people.

Fifth.—Ignorance and disregard of the laws of health are responsible for a large proportion of this excessive mortality.

Another paper shows that the colored death-rate exceeds the white, the excess averaging for five cities, during a period of fifteen years, 73.8 per cent; that the death-rate of the colored population in these five cities is lower for the period 1890-95 than for the period 1881-85, thus indicating some improvement; that the principal causes of the excessive mortality among the colored people of these cities are pulmonary diseases and infant mortality; that the least disparity between the white and colored death-rates is for those diseases due to unwholesome sanitary conditions, such as typhoid, malarial and scarlet fevers, diphtheria and diarrhea. The writer of this paper, Mr. L. M. Hershaw, of Washington, says, in conclusion: "This last fact, that the excessive death-rate of the colored people does not arise from diseases due to environment, is of vast importance. If poor houses, unhealthy localities, bad sewerage and defective plumbing were responsible for their high death-rate, there would be no hope of reducing the death-rate until either the colored people became wealthy or philanthropic persons erected sanitary houses, or municipalities made appropriations to remove these conditions. But since the excessive death-rate is not due to these causes, there is reason for the belief that it may be reduced without regard to the present economic conditions of the colored people."

Resolutions and recommendations were adopted at both the sectional and general meetings of the Conference. Some of them went pretty sharply into details on questions of individual conduct and all of them were free from sentimentality and were exceedingly earnest in spirit. Here are some of the general resolutions:

Resolved, that it appears from the result of the investigation:

First.—That the excessive mortality among negroes is not due mainly to environment;

Second.—That the excessive mortality among negroes is largely due either to their ignorance or to their disregard of the laws of health and morality;

Third.—That the excessive mortality and the apparent increase of immorality among the negroes is chiefly due to neglect of home and family life, the chief cause of which is the extent to which the mothers are obliged to go out to work;

Fourth.—That the failure of the men to entirely support their

families with their earnings has a most serious effect upon the social, physical and economic progress of the race;

Fifth.—That, finally, it appears that the negro must reform himself, and that he is not dependent upon charity or municipal regulations, but has the means in his own hand.

Resolved, That the following recommendations be made:

First.—That the attention of members of the Conference during the coming year be concentrated on reforms in the family life of the negro;

Second.—That greater care and attention should be given to the home-training of children, and also of young men and young women, and that parents' associations and mothers' meetings should be formed for that purpose;

Third.—That day nurseries should be provided for the care of infants and young children in the enforced absence of parents;

Fourth.—That friendly visiting among the poor should be more general and more systematic, and that friendly visitors should hold weekly or monthly conferences under the direction of those who are making a special study of social problems.

There was a vast amount of plain speaking and pointed discussion on the part of the colored speakers at the Atlanta Conference. There is no more encouraging sign than just such work on the part of the colored people themselves. The educated colored man can say things to his own people that come with poor grace from a white man, and there is the further advantage that it is not so apt to give offence in cases where the advice is unpalatable.

In connection with this topic we wish to call attention to an able article by Dr. W. E. B. DuBois in the *Atlantic Monthly* for August. It is entitled "Strivings of the Negro People," and has special interest coming as it does from one of the best trained colored leaders who has just been elected Professor of Social Science and History at Atlanta University.* It goes to the root of the so-called race problem in a fresh and instructive manner.

The Consumers' League.—Most of the active recent discussion of economic theory has been along the lines of consumption and its influence on production, distribution, value, price, etc. Professor Patten in this country, Professors Marshall and Smart in Great Britain, and some members of the Austrian school, have often hinted at ways in which this newer economic doctrine could be made socially effective and could be given an ethical application of the highest importance. The Consumers' League is the crystallization of some of these ideas in a practical attempt to render them operative

* See above p. 104.

on a scale large enough to change some of the worst existing industrial conditions.

Mr. John Graham Brooks has discussed the subject before large audiences in Boston, New York and Chicago for some time and his labors have begun to bear fruit. He defines the Consumers' League as "an association of persons who desire, so far as practicable, to do their buying in such ways as to further the welfare of those who make or distribute the things bought." He states the idea of buyer's responsibility as follows:

"We shall give these truths their simplest form of statement if we say that the buyer (consumer) may be, in the very act of buying, a creator. The shoddy buyer is shoddy maker. In a very real sense, to buy a harmful thing is to help make that thing. We often use the words 'order' and 'get made' in ways which bring out the responsibility of the buyer for the kind of thing he 'orders' or 'gets made.' 'I hate these high-heeled and narrow-soled boots,' says a manufacturer, 'but people will buy them and so I make them.' Still more than this is true; to buy products made by laborers working in unwholesome surroundings is to help perpetuate those evil circumstances. . . . If, in the world's economic processes, to buy an ugly thing is to get it made; if to buy sweated garments is to become a partner of the sweater, we should readily concede that buyers have a responsibility as definite as it is serious."

Members of the league endeavor to find out how the goods which they buy are made and to buy only those made under wholesome conditions. Professor Smart was for many years at the head of a large and successful industrial establishment. He speaks therefore with knowledge of the actual industrial possibilities when he says: "A slight awakening of the public conscience has induced some to ask if it is not possible to demand some guarantee that the goods we buy are made by workers paid decent wages and working under healthy conditions." This is the method pursued by the league, to demand some guarantee from the seller that the things sold are made under right conditions without unnecessarily sacrificing human life and happiness. Some leagues have a "white list" of stores which the members patronize because they have received from them satisfactory guarantees that the goods sold there are made under fair conditions. In the very large stores, however, it is often almost impossible for the management to know about the sources from which all their goods come. Not until the demand for this information comes from a much larger per centum of their buyers will they take the trouble to know. Most managers of such establishments admit that if the buyers, or any large number of their

patrons, really cared about and insisted on knowing how the things they bought were made it would not be long before ways were devised by which such information could be furnished. Mr. Brooks, at present, seems to prefer a "white list" of goods rather than a "white-list" of stores. He recognizes fully that the large store and even the bargain counter has a legitimate work to do, and under present conditions greater care in the selection of the articles we buy would do more good than any blind reliance on particular stores.

Cheap goods are not necessarily made under bad conditions. Mr. Brooks is careful to point out how improved machinery and tendencies in the factory type of industry make it possible to produce cheaply and yet under the best conditions for the wage-earner. Indeed, he carries this thought out until he reaches the conclusion that the factory type, not necessarily the large factory, but the factory type of industry is preferable to any home industry. It can be brought under better inspection for one thing, and the industrially unfit classes, whom every economist admits are the worst enemies of the large mass of wage-earners, can be more readily eliminated from harmful competition. Even a new distribution of power, such as may be looked for from electrical inventions, instead of bringing back the home industry, may preferably bring about a better distribution of factories as regards geographical location, and perhaps a larger number of small factories which can compete with the large ones.

The union labels, which are being used more widely every year, are usually a guarantee of wholesome sanitary conditions, fair wages and reasonable hours for the worker. Mr. Brooks might discuss this method a little more fully and deal also with the real difficulties and dangers from an abuse of the power thus placed in the hands of the unions and what safeguard can be used against them. No one is more competent, from practical knowledge of the workings of the unions, to speak on this subject than the author of the interesting pamphlet which explains the Consumers' League.*

A high standard of excellence in demanding only perfect goods, which are always the cheapest from the point of view of true economy, is one sure method of helping to secure for the producer the fairest conditions of life. If league members will follow this rule, even when it means a curtailment in amount of things consumed,

* *The Consumers' League.* The economic principles upon which it rests and the practicability of its enforcement. By JOHN GRAHAM BROOKS. Pp. 26. Price, 15 cents. Cambridge: The Co-operative Press, 1897. Profits from sale of this pamphlet go for the uses of the league.

that is fewer wants and better wants, they will free themselves from many obstacles in attaining their real aim. It is rarely possible to produce reasonably perfect goods under bad conditions for the wage-earners. In the long run bad conditions produce poor goods and the wise buyer will serve himself and the cause of the league by a critical avoidance of makeshifts for articles which he cannot afford to supply properly or because they are apparently cheap. Mr. Brooks, in future editions of his pamphlet, may well give more room to the elaboration of this idea and at the same time explain to the uninitiated more fully what the union label is and what it involves.

Dietaries of Institutions in Boston.—In the second annual report of the institutions commissioner of Boston for the year ending February 1, 1897, the results are given of an investigation into the food supplies of the various institutions under the control of the city of Boston, which the commissioner directed Mrs. Ellen H. Richards and Miss S. E. Wentworth, chemical experts of the Institute of Technology to make. The changes in the dietaries which have resulted from this investigation are instructive and may well encourage similar work in other cities.

For prisoners and inmates of houses of correction who are usually able-bodied adults it is recommended that the food should not be stimulating. It should contain less meat and more bread, fewer spices and condiments than the ordinary diet. It should be well cooked, palatable and easily digested food, but not too attractive a menu so as to encourage petty crimes. The light exercise ration which should go to all, with an extra allowance to those who work, is as follows:

Meat and fish (four-fifths meat and one-fifth fish).....	10	ounces
Salt pork, lard, suet, etc.....	1	"
Flour, etc.....	14	"
Oatmeal, cornmeal, hominy, barley, etc.....	2	"
Peas, beans, cheese, etc. (seven-eighths peas and beans; one-eighth cheese)	2	"
Potatoes.....	12	"
Vegetables.....	6	"
Sugar	2	"
Milk	4	"

This is estimated to yield: proteid, 103 grams; fat, 73 grams; carbohydrates, 426 grams; calories, 2848. The cost, exclusive of tea, coffee and condiments, is supposed not to exceed seven cents at present market rates in Boston.

For reformatories, where inmates are usually young and where

more systematic hard work is carried on with a view to reform, the following dietary containing more meat and fat is recommended:

Meat and fish (three-fourths meat; one-fourth fish).....	12	ounces
Salt pork, lard, suet, etc.....	1	"
Flour, rice, etc.....	14	"
Oatmeal, cornmeal, hominy, barley, etc.....	2	"
Peas, beans, cheese (seven-eighths peas and beans; one-eighth cheese).....	2	"
Potatoes.....	12	"
Vegetables.....	6	"
Sugar.....	2	"
Dried fruits.....	$\frac{3}{4}$	"
Milk.....	4	"
Butterine.....	$\frac{1}{2}$	"

This is calculated to yield: proteid, 111 grams; fat, 91 grams; carbohydrates, 436 grams; calories, 3088; and to cost, exclusive of tea, coffee, condiments, etc., eight and one-fourth cents.

For almshouse inmates the report recommends the house of correction diet for all able-bodied adults for whom it is desirable to make the institution as little attractive as possible; for the old and infirm inmates, a more generous ration, as follows:

Meat and fish (three-fourths meat; one-fourth fish).....	7	ounces
Salt pork, lard, suet, etc.....	$\frac{1}{2}$	"
Flour, rice, etc.....	11	"
Oatmeal, cornmeal, hominy, barley, etc.....	2	"
Peas, beans and cheese.....	1	"
Potatoes.....	6	"
Vegetables.....	4	"
Sugar.....	3	"
Dried fruits.....	$\frac{1}{2}$	"
Milk.....	12	"
Butterine.....	0.7	"
Eggs.....	$\frac{1}{2}$	"

This is expected to yield: proteid, 83 grams; fat, 71 grams; carbohydrates, 368 grams; calories, 2509; and will cost about eight cents, exclusive of tea, coffee and condiments.

For children it is intended that the food will permit of growth as well as sustain life. For children over six the same schedule as that just given for old persons is recommended with the following changes: increase the amount of beans and peas one ounce, milk four ounces, dried fruits one-fourth of an ounce, eggs also one-fourth ounce. This is expected to yield: proteid, 93 grams; fat, 77 grams; carbohydrates, 389 grams; calories, 2692, and should not cost more than nine cents, exclusive of cereal coffee, condiments, etc.

For the insane it is necessary that the diet shall be as nourishing as possible in order to work any improvement. Chronic cases may be kept on a simpler and less costly diet, but for the more hopeful cases the following average diet is recommended :

Meats and fish.....	12	ounces
Salt pork, lard, suet, etc.....	½	"
Flour, rice, etc.	12	"
Oatmeal, cornmeal, hominy, barley, etc.....	1½	"
Peas, beans, cheese.....	1	"
Potatoes	12	"
Vegetables.....	6	"
Sugar	3	"
Dried fruits.....	1	"
Milk	16	"
Butterine	1	"
Eggs.....	¾	"

This is intended to yield: proteid, 110 grams; fat, 100 grams; carbohydrates, 421 grams; calories, 3107; and to cost, exclusive of tea, coffee, etc., ten and three-fourths cents at present market rates in Boston.

The report states that the cost for all these dietaries is liberal for numbers over three hundred and in practice should fall well within the limits. "The amounts called for apply to the *raw material* and are sufficient, provided the food is well prepared and utilized by the inmates. The estimates allow for a necessary and normal waste of ten per cent of proteids and carbohydrates in the preparation, but assume that the fat is used in one form or another. The meat must be fresh, of medium fatness, and the raw materials in every case of good quality. Graham or whole wheat bread should be used when possible, especially for children. Molasses may be substituted for sugar when it is considered economical, or otherwise desirable to do so, in the proportion of one and one-half ounces of molasses to one ounce of sugar."

Labor Legislation in Pennsylvania.—The legislature which has just adjourned passed several bills in the interest of labor which have received the governor's signature. Among them was an eight-hour bill, which provides that eight hours out of twenty-four shall constitute a legal day's work for workmen, mechanics and laborers in the employ of the state or any municipal corporations therein, or otherwise engaged on public works. This applies to contract work as well as that done directly in the employ of the state. The act also provides that in all such employment none but citizens of the United States, or aliens who have declared their intention to become such, shall be employed, and all such employes must have

resided in the state six months preceding the date of such employment. Any public officer violating this act is guilty of malfeasance in office and may be removed by the Governor or head of the department to which said officer is attached. If any person contracting with the state or any municipal corporation violates this act, he is liable to a fine of one thousand dollars.

Another act is known as the "Anti-Pluck-Me-Store Bill." This act is aimed at a grievance that has had its chief seat of activity in the oil and coal regions of Pennsylvania, and we therefore quote the act in full as follows:

AN ACT to tax all orders, checks, dividers, coupons, pass books or other paper, representing wages or earnings of an employe not paid in cash to the employe, or member of his family; to provide for a report to the Auditor-General of the same; for failure to make reports and reward to party informing Auditor-General of failure to report.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That every person, firm, partnership, corporation or association engaged in operating oil or gas wells, conducting oil or gas in pipes, operating quarries, operating canal, steamboat, ship, steamship, ferry transportation, towage, paving, macadamizing, steam heat, steam power, telephoning, telegraph, express, electric light, electric railways, railroad, cable road, water or gas companies, mining or manufacturing, shall, upon the first day of November of each and every year, make a report under oath or affirmation to the Auditor-General of the number and amount of all orders, checks, dividers, coupons, pass books or other paper, representing the amount in part or whole of the wages or earnings of an employe, that were given, made or issued by him, them or it for payment of labor and not redeemed by the said person, firm, partnership, corporation or association giving, making or issuing the same, by paying to the employe, or a member of his family, the full face value of said order, check, divider, coupon, pass book or other paper representing an amount due for wages or earnings in lawful money of the United States, within thirty (30) days from the giving, making or issuing thereof, the honoring though of said order, check, divider, coupon, pass book or other paper representing an amount due for wages or earnings by a duly chartered bank by the payment in lawful money of the United States to the amount of said paper representing an amount due for wages or earnings is a payment, and he, they or it shall pay into the treasury of the commonwealth ten (10) per centum on the face value of such orders, checks, dividers, coupons, pass books or other paper representing an amount due for wages or earnings not redeemed as aforesaid, and in case any person, firm, partnership, corporation or association shall neglect or refuse to make report required by this section to the Auditor-General on or before the first day of December of each year and every year such person, firm, partnership, corporation or association so neglecting or refusing shall pay as a penalty into the State Treasury twenty-five (25) per centum in addition to the ten (10) per centum tax imposed as aforesaid in this section on the face value of all such orders, checks dividers, coupons, pass books or other paper representing amount due for wages or earnings not redeemed by paying the employe or a member of his family in lawful money of the United States in thirty (30) days by the person, firm, partnership, corporation or association making, giving or issuing the same. The honoring of paper representing wages or earnings by a bank is a sufficient payment.

The so-called "Weiler Bill" is an act to protect employes of corporations in their right to form, join or belong to labor organizations by prescribing penalties for an interference therewith. This act makes it illegal to exact as a part of the labor contract any pledge not to form or join or belong to a lawful labor organization. The penalty for any violation of the act is a fine of not more than two thousand and not less than one thousand dollars and imprisonment for a term not exceeding one year or either or both in the discretion of the court.

The Prison Bill is interesting in many ways and we give the text in full:

AN ACT limiting the number of inmates of state prisons, penitentiaries, state reformatories and other penal institutions within the State of Pennsylvania, to be employed in the manufacture of goods therein, and prohibiting the use of machinery in manufacturing said goods.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act no warden, superintendent or other officer of any state prison, penitentiary or state reformatory, having control of the employment of the inmates of said institution, shall employ more than five per centum of the whole number of inmates of said institutions in the manufacture of brooms and brushes and hollow-ware, or ten per centum in the manufacture of any other kind of goods, wares, articles or things that are manufactured elsewhere in the state, except mats and matting, in the manufacture of which twenty per centum of the whole number of inmates may be employed.

SECTION 2. That the officers of the various county prisons, work houses and reformatory institutions within the Commonwealth of Pennsylvania, shall not employ more than five per centum of the whole number of inmates in said institution in the manufacture of brooms and brushes and hollow-ware, or ten per centum in the manufacture of any other kind of goods, wares, articles or other things that are manufactured elsewhere in the state, except mats and matting, in the manufacture of which twenty per centum of the whole number of inmates may be employed, provided, this act shall not apply to goods manufactured for the use of the inmates of such institutions.

SECTION 3. That no machine operated by electricity, hydraulic force, compressed air, or other power, except machines operated by hand or foot power, shall be used in any of the said institutions in the manufacture of any goods, wares, articles or things that are manufactured elsewhere in the state.

SECTION 4. Any warden, superintendent or other officer or person having control of the employment of inmates of any of the within mentioned state or county institutions or other penal institution or institutions wherein convict labor is employed, within the State of Pennsylvania, violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars or undergo an imprisonment not exceeding one year, or both, at the discretion of the court.

SECTION 5. This act shall take effect on the first day of January, one thousand eight hundred and ninety-eight.

The Prison Bill had the active support of the labor organizations,

and yet in light of recent investigations into prison management in Pennsylvania it seems as if this was beginning a reform at the wrong end. Some restriction of the competitive features of prison labor is doubtless desirable, but it is difficult as it is for the prison warden to supply labor to his inmates and without it prison management is inhumane and unproductive of the best results in which the workingman is as much interested as anyone else.

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POLITICAL AND SOCIAL SCIENCE.

THE POLITICAL PHILOSOPHY OF ARISTOTLE.

In current criticism an eminent man of thought or action is termed eminently sane, if it is intended to mark him off from other men of his class. By sanity we mean substantially what the average man means by common sense; it is the capacity to apprehend things as they are without recourse to the refinements of metaphysical subtleties against which the positivists and the inductive school generally have led a wholesome reaction. Aristotle was the first of the positivists, the first of the scientists, the first Baconian.

The cry, "Back to Aristotle," stands for a more correct method; and there is some promise now that students of political science will also follow the path of patient investigation and rigorous analysis.* The rise of the historical method and the gradual development of history into a science, promises to work out the redemption of political philosophy from the gratuitous assumptions into which it was carried by the metaphysics of the seventeenth and eighteenth centuries. Two signs of the times may be taken

* The need of a better method and of a wider scope is well urged by Professor Leo S. Rowe, in his study of "The Problems of Political Science," in the ANNALS, Vol. x, p. 165, September, 1897.

as an earnest of this return to a more sober thinking: first, the absence of any present writing of note which attempts to formulate into a system the older political philosophy; and second, the earnest effort made in all of the civilized countries of the world to secure a larger conception of the social relations and a deeper insight into the functions of the state as a constituted guardian of the welfare of the individual man, a constituted guardian which, while it is not primarily a finder or provider, does yet powerfully aid individual man both directly and positively in realizing himself, that is, in attaining his ends.

A return to Aristotle stands also for a wider conception of the state. Underlying much of our current individualism is a belief in an abstract individual, an utter neglect of the real individual. Man is a political, *i. e.*, a social animal. The individual apart from all relations to a community is a negation, a logical ghost, a metaphysical spectre. Over against the individual we are wont to set the state; a point of view to be sure which we can take; but the antithesis between the state and the individual is only a partial truth, and a partial truth when taken for the whole truth becomes a falsehood. Similarly there is an assumed antithesis between the state and society which has been much overworked. The antithesis has doubtless a subjective value; it has become a common-place of German writers on public law and ethics, and it may aid in clearness of thinking at certain points, but it is doubtful whether it has any historical reality.*

I do not object to the wide conception of society that is commonly entertained but to the too narrow conception of the state. The state is society in its best form. The state is the only form of society possessing sovereign authority, individuality, independence, and self-direction; it is the authoritative and positive form of society; the state

* Cf. J. S. Mann quoted by Ritchie, "Principles of State Interference," Appendix, Note A.

considered as a government is an organ, but the state considered as a society is by metaphor an organism. Admirably and with a scientific fidelity, that the student of law will appreciate more justly than the student of history, Aristotle defines the state, the city-state it was in his day, as "that association of men which is the highest of all associations and includes all." I know that in this contention for a wider concept of the state I am placing myself outside of the list of eminent authorities in modern political philosophy. But as Mr. Ritchie observes, in his criticism of Herbert Spencer's "Man *vs.* the State," there are some things that demand more respect than distinguished persons—philosophy itself. Further studies, like that of Dr. Willoughby, may reclaim part of the ground which some are too readily abandoning to the sociologists.

When Aristotle said, "Man is a political animal," he meant something quite different from what those words mean to us. We get his meaning more accurately if we translate him into our language: Man is a social animal. This antithesis between the state and society he practically ignores. Plato, however, ignores it more emphatically. Aristotle seems at times to have some intimation of it, but when he comes to work out his theory of the best state as distinguished from the best constitution, he gives most of his attention to what we are wont to call economic and social questions. Likewise in our own day the burning questions in politics are almost the exact opposite of those which our literary political philosophers are wont to hold up as the true data for the construction of political science. Those questions which it is common for them to say have no place in politics, questions of a social and economic character, are in the very foreground of political discussion, and if they do not form an integral part of politics proper, they must yet have their recognition by the statesman who confronts them in his career. Adam Smith and his forerunners confounded economics with politics and gave birth to a hybrid which,

until recently, their successors have uniformly called political economy, while on the other hand Aristotle confounded politics with economics by giving attention to a variety of topics which a modern scholar would rule out of politics. Auguste Comte, was correct when he declared that Aristotle in his "Politics," Montesquieu in his "Spirit of Laws," Condorcet in his "Sketch of the Progress of the Human Spirit in History" and economists pre-Smithian and post-Smithian, have each and all alike attempted to construct a philosophy of society which to Aristotle was the state, and which, to most moderns, is in antithesis to the state. The question respecting the various fields to be occupied by the several so-called political or social sciences seems to me should be held to be still an open one. When their complete differentiation shall have been established, and when the day of their maturity shall have come, we shall understand their subordinate no less than their co-ordinate relations; their synthesis no less than their analysis.

Two observations by Aristotle, respecting the study of political science or the art political, require our notice: the one respecting the student,* the other respecting the teacher † of political science. He intimates that to be ready for the study of the art political a man should have a wide experience and a general acquaintance with affairs. He suggests that he is best prepared for the study of the art political whose education on all matters has been universal.

"And hence it is," he adds, "that a young man is not a fit student for the art political, for he has had no experience in matters of daily life, with which matters our premises are concerned, and of which our conclusions treat . . . And this is true of him who is young in character equally with him who is young in years." ‡

The other difficulty lies with the teacher or the teaching of political science. In connection with the discussion of the best education, he inquires:

* "Nicomachean Ethics," Bk. i.

† *Ibid.*, Bk. x.

‡ *Ibid.*, Bk. i. (Williams' translation, p. 3).

"But from whom can we learn political science? To this the right answer would seem to be that we must learn it from politicians. But then," he proceeds, "we must remember that there is a clear difference between political science and all the other sciences and arts whatsoever. For in all the other sciences, as in medicine, for instance, and in painting, we find that the same persons both teach the general theory of the science and also practice it as a profession."

In the case of political science, although the sophists profess to teach it in theory, yet no one of them is actually engaged in its practice—politics as a profession being in the hands of statesmen, and it would seem that statesmen are not guided in their practice by any knowledge of scientific principles,

"but rather that they have some special aptitude for the subject, combined with a knowledge of certain empiric rules."

Furthermore

"it would seem that those who desire a thorough knowledge of political philosophy need some acquaintance with the actual practice of states. As for those among the sophists who profess political philosophy, the last thing that one would say of them would be that they teach that which they profess. As a matter of fact they have not the least knowledge either as to what the science is or with what it is concerned. Else they would never have identified it with rhetoric."*

It is from a sense of their fitness and importance, and because they give so admirably the Aristotelian point of view, that I have permitted myself to make these extracts from the "Nichomachean Ethics." For in these paragraphs we have the introduction to "The Politics."

In the last paragraph of "The Ethics" Aristotle promises to enter upon a consideration of political science himself in order that we may "complete, as far as in us lies, that branch of philosophy, the object of which is man." And he submits the following program:

"We will first attempt to examine in detail all such particular statements of our predecessors as may commend themselves. And we will

* *Ibid.*, Bk. x (Williams' translation, pp. 325-26).

then proceed to frame a collection of constitutions, and to derive therefrom certain rules as to what are the causes by which a state is preserved, and what are the causes by which it is destroyed; and further, to determine what modifications must be made in these rules, so that they may be applicable to each particular form of constitution. We will then consider for what reasons it is that some governments are successful and others not. . . . We shall then be in a better position to determine, not only what is the absolutely best form of government, but also in what manner each particular form of government must be ordered, and of what laws and what customs it must make use. Here then we leave the ethics and begin the politics."

Sir Frederick Pollock places two great achievements to the credit of Aristotle: first, that he separated politics from ethics; and, second, that he adopts a correct method. Of the first of these it must be said that Aristotle does not carry the separation of ethics and politics as far as some modern scholars do; he regards ethics as "in a sense a political inquiry."* Aristotle constantly reckons with the ethical element in his discussion of politics, and he does this without losing his bearings; he does not cease to treat of the state, if he reckons at times with questions of character and conduct, with purpose and motive. His method is historical, critical and constructive, and is fairly indicated in the paragraph above which we called his program. His complete neglect of artistic form, and his adherence to "essential naked truth," induced Wilhelm von Humboldt† to say that he was un-Greek.

"The Politics," which in ordinary book form covers something over two hundred pages, has come to stand in certain generally accepted divisions and subdivisions, known as books, chapters and paragraphs; ‡ and while no rigorous lines mark the eight books off from each other, each has

* See "Nicomachean Ethics," introductory chapter of Book i (Welldon's translation, p. 3).

† In a letter to F. A. Wolf, dated January 15, 1795, "Works," Vol. v, p. 125.

‡ The references to the text of "The Politics" in the foot-notes which follow are to Jowett's translation. The translations of the Greek text are, however, not always in the words of Jowett. In a few instances the writer has adopted the rendering of other students and occasionally he has ventured a translation of his own.

essentially one leading topic which may serve to state its title. These I summarize as follows: first, the origin of the state and the elements of political and social economy; second, the study of constitutions ideal and real, or political history and the history of political literature; third, the ideal constitution; fourth, the forms of government; fifth, political revolutions, or the permanence of governments; sixth, two of the forms further considered, democracy and oligarchy, and administrative machinery; seventh, the conditions of the state, or the ideal state; eighth, education. Now these eight books may be more logically grouped under four or five heads. Leaving the first two as they stand, merging the fourth and fifth and part of the sixth with the third, and dividing the remaining three into two, placing the seventh by itself, and a part of the sixth with the eighth, we should have five parts. This rearrangement would place the several divisions more in harmony with what is now the customary rubric for the discussion of the several topics. Thus arranged the order of topics would be: first, the origin of the state and the elements of political and social economy; second, political history and the history of political literature; third, government more narrowly, constitutional law with some attempts to state a political theory; fourth, the ideal state, dealing with the life of the state behind the constitution, itself conditioning the constitution; fifth, administration, of which the chief subjects treated are administrative agencies at the end of book sixth and education in the eighth book. The first of these parts corresponds to what the sociologists are recently claiming as their special province. The second and third of these parts constitute the body of the work and deal primarily with the government of states. The fourth part, answering to the seventh book, is perhaps the portion of "The Politics" least understood. The fifth part, considered as a discussion of administration, is very incomplete. Our further discussion we will group under these five headings.

I. The Origin of the State and the Elements of Political and Social Economy. The definition of the state Aristotle formulates substantially as follows: the state is that association (*κοινωνία*) which is the highest of all associations, and includes all, and aims at the highest good.* Human society can be resolved into two ultimate elements, the sexual relation and private property. Upon these two relations the state is founded. The first is necessary for the continuance of the race, and both the family and property are necessary for its welfare. Hence two preliminary sciences detain us in our investigations of the organization of government, namely: the science of the household, family, the science of association or social relations, shall we say sociology; and the science of property, of wealth and wealth-getting (chrematistic). In the language of our day general sociology must precede the study of politics. Each of these two subjects are then sketched in outline with an admirable insight. We are promised a treatment of the household under these headings: the master and slave, husband and wife, parent and child—titles which to a law student suggest a chapter in law, but are meant by Aristotle to outline the fundamental human association, the fundamental social unit, the family as the ancients knew it. The treatment of this subject stops with the first topic, and we are left, as so many times we are left in reading "The Politics," with unfulfilled expectations.

In the chrematistic, as he calls the second of these preliminary sciences, Aristotle discusses the production of goods, the organization of exchange, and the proper views that should be held respecting wealth. The distribution of wealth is indirectly treated with exchange, and consumption is discussed exclusively from the ethical point of view. In husbandry (agriculture) household management and chrematistic overlap.

The origin of the state is accounted for as the fusion of villages, which are themselves a fusion of households; and

* Bk. i, Cap. i, § 1.

the progressive and advancing group is in each instance associated with a wider organization of property. The initial association is the household, and it exists to meet the immediate wants of the day; its members are "sharers of the meal bin." The second step in the series is an aggregation of the household, which is the village, the village community. The third step is an aggregation of villages, which is the city, the city-state. The fourth step has been taken since the time of Aristotle, the aggregation of city-states into the territorial state.*

In the first book of "The Politics" appears a description of the patriarchal family as archetype of the state which Sir Henry Maine himself could never have excelled:

"Our city-states were originally governed by kings, as also are barbarian tribes to this day; for they were an aggregate of units governed by kings. For every household is governed by its oldest member as by a king, and thus the offshoots (*ἀποικία*) were similarly governed through the sympathy of kinship. And this is what Homer means: 'Each man is the oracle of law to his children and to his wives.' . . . This is the reason why men say that the gods are governed by a king, for men themselves are either still subject to a king or were so in ancient times." †

As the lesser groups are natural, argues Aristotle, so is the largest and all-inclusive one, for it is the end of the lesser in as much as "the completed nature is the end." Hence it is evident that the state is one of nature's productions, and that man is by nature a social animal, a city animal (*πολιτικὸν ζῷον*), and that the man who is without a country (*ἄπολις*) by nature and not by mere accident is

* Professor Burgess, "Political Science and History," *American Historical Review*, April, 1897, p. 403, says aptly: "The Roman *imperium* inaugurated the period of country states; and the period in which we live is the period of national country states." But another remark of Professor Burgess, in the same connection, that "etymologically the phrase [political science] means the science of municipal government," can not be taken as strictly accurate. It means *more*, etymologically, than the science of municipal government by just as much as the classical city-state was *more* than a municipality. The concept municipal government in our day is better defined by the term municipal administration.

† Bk. i, Cap. ii, § 6-8.

certainly either worse or better than man.* The impulse toward association of some sort is natural to all men, but as Lester F. Ward might say, it needs psychic direction. The Greeks therefore ascribed a fundamental importance to the law-giver as organizer of society. "The first organizer (*σοστέρας*) was the author of the greatest blessings." † Justice is political and its administration the very order of political association.

II. Constitutions, Ideal and Real. Political history and the history of political literature would be a fitting description of the scope of the second book of "The Politics;" but the book can hardly bear so ambitious a title. Of the ideal constitutions, that is, those proposed in speculative political literature, he treats the opinions of three of his predecessors, Plato, Phaleas and Hippodamus, with considerable fullness. Hippodamus, who is praised for having invented the art of planning cities, was one of the first city engineers and practiced the art of laying out the streets into squares or blocks. Aristotle thinks it worth his while to inform us that he wore "flowing hair and expensive ornaments."

Quite unlike Plato, Aristotle determined to discard no institution like the family or property which was sanctioned by immemorial usage. Communism in the family relation would lead to a grotesque confusion; individual interest in the general welfare would be sacrificed, and society itself become impossible. Of community of property he speaks with more tolerance. He enumerates three kinds of communal property: common property of products with private property of land; common property of land with private property of products; or, thirdly, both land and product may be common. But none of these will answer as a system. Our present arrangement of private property if improved by good customs and good laws would be far better. Some of his maxims, old perhaps in his day, are as significant as ever:

* Bk. i, Cap. ii, § 8-10.

† Bk. i, Cap. ii, § 15.

"Nothing is so well cared for as that which is cared for for oneself." "Of the two qualities which chiefly inspire regard and affection, that a thing is your own and that you love it, neither can exist in a communistic state."

Many evils are charged to private property for which it is not responsible. The real cause of existing evils is not private property but the wickedness of men. Rich men should be taught the pleasure of giving, and the virtues of liberality and temperance should be cultivated. Communism may be wisely applied to slaves and the lower classes in order to hold them in subjection, a view which the master class in slave-holding countries in our times have shared with Aristotle. After this review of Plato's "Republic," "The Laws" of Plato are examined, but not in the spirit of a generous critic. The following views of Aristotle appear from a summary of the criticism: that a state cannot exceed certain bounds; that the treatment of foreign relations is a constituent part of political science; that the doctrine of population must be discussed in a theory of the state; that a good constitution is made up of many elements, of balances and checks. For example, to illustrate the last view, he observes that the constitution proposed in "The Laws" has in it no element of monarchy, that it leans too hard to oligarchy in its electoral college.

Of real constitutions that of Sparta seems the favorite one, but others are cited. The criteria for testing a constitution are these: Is its end good? Are the laws consistent with this end? Is there a leisure class who can see to the conduct of the state? Only the last of these questions calls for discussion. That there should be a leisure class seems clear to Aristotle, but he regards the question of their support a perplexing one. But he apparently finds a solution in the existence of a slave class for the support of the governing class. The idea of supporting only a distinct and limited class of public servants does not appear to have been grasped by the thinkers of Aristotle's time, much less that this class

should be supported by an equitable and proportionate contribution of the members of the state. It is evident that public finance whether regarded as an art or a science was in its infancy. The constitutions of Sparta, Crete and Carthage are critically reviewed. All the political writers of antiquity were profoundly impressed by the Spartan constitution, but our critic could not view it with unqualified favor. There was perhaps a vein of humor in some of his strictures. The second book closed with a cursory and rambling mention of political writers and legislators. Not even the greatest of men can make a science out of nothing, and a perusal of this book of "The Politics" reveals in a measure the debt of Aristotle to his age.

III. Government. Broadly stated and in a modern spirit we should say that the subject of the third, fourth and fifth books and of a part of the sixth is government with an incidental discussion of the wider conception of the state. The central thought of the discussion is the constitution or constitutions (*πολιτείας*), whence politics.

1. Distinction between state and government. Aristotle had undoubtedly before him the distinction between state and government. The former appears constantly as the city (*πόλις*) while the latter is referred to variously as polity, constitution or rule (*πολιτεία, πολίτευμα, ἀρχή*). If we wish in the study of politics, he says in substance at the opening of the third book, to determine the various forms of government, our first step should be to consider the state (*πόλις*). For different views are taken of the state crediting now to the state what should be predicated of the government, that is, of the oligarchy or the despot it may be.

"Now the whole business of the statesman or legislator is, we see, concerned with the state; and the government of it or constitution is a particular organization of the men who live in the state." *

In the third book Aristotle discusses the ideal constitution. In the seventh he discusses the ideal state. In the discus-

*Bk. iii, Cap. i, §1.

sion of the ideal constitution, he asks who should have a share in the government and how should the government be organized and to what purpose; in the fourth and fifth books and in a part of the sixth, he considers the forms of government and their permanence. In the seventh book he inquires into the nature of the state as that lies back of the constitution, to use the forcible words of Burgess, he inquires into the conditions of the state and investigates problems of soil, climate, population, situation, and a host of problems which certain moderns rule out of political science because forsooth, the subject of their inquiry is not the state but the government.

2. Definition of citizenship. In accordance with his method before he proceeds with the study of the constitution he wants to know the elements out of which it is constituted and into which it may be resolved, and these he finds to be the citizens. But what is a citizen (*πολιτῆς*)? He sets himself to return an answer to this question with a gravity which shows that already in his day the literature on this topic was large and opinion divided. But his conclusion is definite. A citizen is one who shares in indefinite office, one who takes part in the government as dicast and ecclesiast, that is, as juror or assemblyman. Those who have the right of suffrage and can sit on juries would be a modern version of the Aristotelian test of citizenship. It is conceded that this test applies best to democracies, for in some form of governments the indefinite office practically disappears as the *demos* is not recognized at all where there are no regular assemblies or only called ones, and justice is administered by special boards. But it will still be true that the holder of the most general office will be a citizen; political status, in short, is an essential condition of citizenship according to Aristotle.

3. The identity of states. On his answer to the question which he raises respecting the identity of states modern politics has left him sharply behind. Whether a state is the

same or not the same he says depends on the *identity of constitutions*. That his answer is not satisfactory to himself appears from his hedging about the repudiation of contracts. His answer is all the more unsatisfactory because his distinction between state and government should have led him to a different view; but it is evident that in this respect he shared the weakness of certain distinguished modern writers who state clearly and emphasize broadly the distinction between the state and the government and then proceed to neglect at once the distinction drawn. For a clear answer to what constitutes the identity of states we are no doubt most indebted to the canons of international law, a service which, by the way, will not long stand by itself. The present tendency in literary political philosophy to abstract the state, will likewise have its permanent refutation from the imperative realities underlying our data for that branch of political science which deals with the relations of states to one another.

4. The relation of ethics to politics. Aristotle's conception of the relation of ethics to politics cannot be satisfactorily discussed in the few words which can be given here to the question which he so often asks: Is the virtue of a good citizen and of a good man the same? It does not appear that his answer is always the same. His answer in the main is undoubtedly an affirmative one, but there are phases of the question which evidently perplex him, and he attempts discriminations and distinctions. For example, in the fifth book, in urging high and specific qualifications for office, he remarks: In the choice of a general, we should regard his skill rather than his virtue; but in selecting a custodian of the public treasure we should follow the opposite rule.*

5. The functions of government or the ends of the organized state. These are defence, the administration of justice including repressive justice, that is, police, and the general

* Bk. v, Cap. ix, § 10.

welfare. The chief end of the state, that is, its latest or highest end is culture. In the words of Aristotle, "The state exists for the sake of living well." The state as the highest of human associations and including all others, is not only for the sake of life, but for the sake of good life.

"Man is by nature a political animal, that is a city animal, a social animal. And, therefore, men even when they do not require one another's help desire to live together, and are brought together by their common interest even in proportion as they attain to any measure of well-being." *

"It is clear then that a state is not a mere society, having a common place, established for the prevention of crime and for the sake of exchange. These are conditions without which a state cannot exist; but all of them together do not constitute a state, which is a community of well-being in families and in aggregations of families called villages or communes, for the sake of a perfect and self-sufficing life." †

To what extent Aristotle believed in public expenditure for the common good, appears from what he has to say on virtue and public education. Like other Greeks he emphasizes with earnestness the æsthetic element in social culture. ‡ All public works must, whenever practicable, be beautiful as well as useful.

6. The forms of government or the forms of the organized state. The form of the state is determined by its constitution, that is, by its form of government. Aristotle's enumeration of the forms of government is probably the most widely known part of the politics and is commonly taught in our elementary schools. Governments are classified as true or false according to their end, and they are: The true or normal forms—monarchy, aristocracy, polity; the false or abnormal forms—tyranny, oligarchy and democracy. The last false form has been described as ochlochraey to distinguish it from polity which may be described as

* Bk. iii, Cap. vi, § 3.

† Bk. iii., Cap. ix, § 12.

‡ In his "Theory of Social Forces," Cap. v, § 7, Professor Simon N. Patten calls attention to the importance of this factor in the promotion of the general welfare.

democracy in its best form. Aristotle comments *in extenso* on the relatively best form and on the natural fitness of the several forms for differing conditions and peoples; and his observations touching these important topics still rank easily among the best that has been thought and said by political philosophers of any time. One of the latest tributes by a competent critic to Aristotle for his thoroughgoing analysis of government is paid by Mr. Godkin in his recent essay on "Democratic Tendencies." * Aristotle knew, too, that his three fundamental forms were, after all, but bold generalizations, and that each particular state was organized by a composition of all the elements, *e. g.*, the legislature might be aristocratic, the chief courts democratic, and the executive head a monarch. There is indeed some danger that in passing criticism upon particular doctrines of "The Politics" the critic will find himself engaged in an attack upon a legendary instead of a real Aristotle, for Aristotle may suffer at the hands of politicians much as Ricardo has suffered from economists who have never taken the time and the pains to read him carefully.

7. The relatively best form. Aristotle is profoundly attracted to democracy. He holds distinctly that supreme authority should ultimately rest with the many and not with the few, and he thus decides in favor of polity, his third form, as the absolutely best. The keynote of his constitutional theory is found in the following sentence: "The only stable principle of government is equality according to proportion (qualitative as distinguished from quantitative equality), and for every man to enjoy his own." We are left somewhat in doubt as to the meaning of equality according to proportion. The distinction corresponds to the arithmetical and geometrical ratios upon which justice is based in the "Nicomachean Ethics," and is practically incomprehensible at best by the modern mind; it is a Pythagorean concept which can at any rate not be understood without

* *The Atlantic Monthly*, February, 1897.

a sympathetic familiarity with Greek philosophy. His recognition of private property as a corner-stone in social organization is more readily apprehended by modern thought. All we can definitely say is that Aristotle is aware of the dangerous quality of the formula of human equality "when applied indiscriminately to all stages of society and all sorts of men." He is aware too, as Professor Jowett observes, that democracy represents an irresistible trend in history and he desires to impose checks and limitations for its guidance. In support of an extensive political status and a wide rule of the many he makes citations the import of which is that many heads are wiser than one. "But, by Heaven," he suddenly exclaims, "in some cases this is impossible of application; for the argument would equally hold about brutes."* Therefore to numerical equality he opposes proportional equality; instead of a mere head for head count wealth and education and merit are to be regarded. Citizens are to have powers and rights in proportion to their qualities, inclusive of their status and possessions. In short, he modifies the supremacy of numbers by subordinating all to the order of reason, to law.

8. The supremacy of law. To the Greek mind, law in its widest sense was the order of reason. Sovereignty must therefore lie with the law, and ought not to be vested in persons; but sovereignty as ordered reason should gain expression so that great things be not left to caprice. Law thus blended with religion, morality and public opinion; and much of what was due to national history and character, to the silent impact of society upon the individual, was ascribed to the direction of law. "We have here," as Butcher observes, "not a conception of law upon which a system of jurisprudence could be based, but one on which a theory of society might be reared."† Well might the orators declare that democracy in its true idea was the reign of law, and a hard headed

* Bk. iii, Cap. xi.

† For an admirable statement of the Greek idea of law as an expression of reason, see S. M. Butcher, "Some Aspects of the Greek Genius," pp 53-60.

Greek like Aristotle could say: "He who bids the law rule may be deemed to bid God and reason rule."

But law also spoke in terms of stern compulsion. Law as the order of the universe gained expression in statutory enactments or in command of king, council, or assembly. This positive announcement of the law through governmental agency was not always complete and perfect. So there was place left for emendations of the law regarded as formal expression of the will of governments or peoples; and progress in adaptations "which experience suggests" was provided for. There is too, in "The Politics," a recognition of the distinction between positive law and its administration. The training of judges is advised and the necessity of occasional decisions in equity is understood.

To the writer, no passages in "The Politics" have a greater charm than those paragraphs in which the customary and the written law are balanced against each other, since they reflect the two-sided conception of law as the order of the universe and imminent in human nature, and law as positive enactment or written law. Aristotle exalts the authenticity, the authority of customary law, and he expresses the following remarkable opinion:

"Customary laws have more weight and relate to more important matters than written laws, and a man may be a safer ruler than the written law, but not safer than the customary law."*

This is akin to the respect and reverence which many a thoughtful lawyer develops for our English common law.

9. Political revolution or the permanence of constitutions. Aristotle seriously studied the conditions of Greek political experience and pointed out with minute care the disorders common to the Greek city-states. His treatment of political revolutions is in no sense what modern political philosophy discusses under the title, the right to revolution; it is rather an analysis of political revolutions as to their

* Bk. iii, Cap. iii, § 17.

nature, their causes and occasions, their results and the means of avoiding them. He did not think deeply enough however when he said that if we know the causes of the ruin of states we know the remedies.

IV. The Ideal State. The attempt to describe an ideal state leads to a consideration of the life of the state behind the constitution, but itself conditioning the constitution, that is, the form of government. In order to show the significance of this topic in the discussion of political theory, it ought to be the subject of an entire paper. I can only indicate the suggestive method of Aristotle's analysis. The conditioning forces of the state Aristotle seeks to find: In an examination of the population, the social population, its composition and constitution; in a consideration of the territory, its character, climate, situation, fertility, extent, its economic resources and conditions; in a study of its industrial organization, its political economy, using the phrase here in the concrete sense as distinguished from the abstract science which we can better designate as economics; in its social institutions, its moral standards, its religion, its family life, and its system of education. In this seventh book Aristotle comes back to a number of fundamental problems considered in the introductory book; and we may say of the seventh book as we said of the first, that it occupies a field which is in part claimed by the sociologist.

V. Administration. I have placed the eighth book with the end of the sixth to give our modern point of view, but this cannot be regarded as Aristotelian. In Aristotle's discussion the treatment of education grows out of his attempt to construct an ideal state. Both Plato and Aristotle merge the construction of an ideal state into a system of education. They accord a high place in the state to education, "whereas, in modern treatises on politics, education is generally banished as being a part of another subject or a subject by itself." To Aristotle as well as to Plato education was a

part of the constitution. For both its form and its permanence were determined by educational aims and ends.

"But of all things which I have mentioned that which contributes most to the permanence of institutions is the adaptation of education to the form of government." *

Modern scholars can still turn to the book on education to find both current ideas in happy phrase, and suggestion of educational philosophy and method. But of the other subjects, the magistracies or the civil service, which can be classed here, little can be said. He barely enumerates the magistracies and only incidentally describes their functions. His ideas of efficiency of service were extremely crude and primitive. He advocated a more than Jacksonian democracy when he proposed that offices should rotate semi-annually. There are scattered and incidental references to other subjects which properly fall under administration, and an exhaustive essay on "The Politics" would require that these be pointed out.

What now is our conclusion touching the aim and scope of "The Politics?" We have reviewed the analysis of the initial elements of the state, which Aristotle makes the bases of certain auxiliary sciences, which we now call sociology and economics, and which he regards as forming a necessary prelude to the study of politics, that is, the study of the organized state which is the largest of all associations and which includes all the rest. We have taken a brief look at what had been thought and said by the predecessors of Aristotle and what had been inwrought into the political experience of his time as typified by certain concrete constitutions like that of Carthage, Crete and Sparta. We next set ourselves the task of following Aristotle in his discussion of the state as organized for purposes of government, and we sketched, though briefly, the following topics which form the body of his great work: The distinction between state

* Bk. v, Cap. ix, § 11.

and government; the definition of citizenship; the identity of states; the relation of ethics to politics; functions of government or the ends of the organized state; forms of government; the relatively best form; the supremacy and authority of law, and the permanence of constitutions. If the discussion of the state had stopped here, would it not be necessary to concede to the writer of "The Politics" the rank of a great political philosopher? But the discussion of the state did not stop with a discussion of the state as organized. In the closing books of this masterpiece of the classical age, we find a discussion of the state which raises many of the questions that are engaging the attention of political philosophy to-day, a discussion of questions that lie back of the constitution and in a manner determine it, a consideration of ways and means of social amelioration, and a prescribing of a régime of education which only states of the nineteenth century have come in a measure to incorporate. And finally, has Aristotle anything to contribute to the classification of the political sciences at the present time? Do we not yet, in accordance with principles laid down by him and in accordance with his method, distribute the field of investigation that lies back of and outside of the constitution among a group of special sciences, which we can call social if we will, but which we may, with no less propriety, call political?

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UTILITY AND COST AS DETERMINANTS OF VALUE.

1. The general conclusions of the Austrian school in regard to the determination of value are stated in a paper by Professor von Boehm-Bawerk, on "The Ultimate Standard of Value," in the *ANNALS* for September, 1894. The essence of this paper would seem to be, that as a rule, utility (defined in the "Positive Theory of Capital," page 133,* as "capacity to subserve human weal"), finally determines the value of goods practically to the exclusion of all other determinants in all important cases. Cost, in particular, is proclaimed to officiate as a final determinant of value only in a comparatively limited number of unimportant cases.† Those who regard cost as a factor of equal, or nearly equal, importance with utility in the final determination of value are declared to be mistaken, no matter what their idea of cost is.

While I never could agree with this doctrine, I have long hesitated to publish my objections against the conclusions of economists of so conspicuous and recognized ability as the Austrians, and Boehm-Bawerk in particular. Withal I am not unmindful of the fact that I owe to them the very foundation of much that I have to say.

2. The conclusions of Boehm-Bawerk as to the determination of value, in his paper in the *ANNALS*, seem to be at variance with some of his other teachings. He explains repeatedly in his writings that value nearly always is finally determined by marginal utility; even in his paper in the *ANNALS* he bases his arguments in favor of utility and against cost almost altogether upon explanations of that kind. He further says (in the "Positive Theory of Capital") that marginal utility is determined by utility and

* The references are to Professor Smart's English translation.

† Pp. 7 and 60.

scarcity. Scarcity being nothing but a particular state of the supply (as compared with the demand), and supply being largely determined by cost, does it not follow from Boehm-Bawerk's own teachings, that after all cost nearly always is at least as final a determinant of value as utility?

But Boehm-Bawerk, where he speaks of "utility" as the final determinant of value, perhaps means marginal utility. For this, something might be said, *i. e.*, that the real arguments of Boehm-Bawerk toward establishing utility as the final determinant of value, do not go beyond those which tend to establish marginal utility as such final determinant. Still marginal utility has, even according to Boehm-Bawerk himself, absolutely nothing final about it. Can he speak of marginal utility in contrast to cost as the final determinant of value, when he declares, though indirectly, that marginal utility is determined by cost? The insignificance of the influence, furthermore, which Boehm-Bawerk ascribes to cost in the final determination of value, rather precludes the idea that by the utility which he declares to be, in contrast to cost, the sole final determinant of value in the large majority of cases, he means a utility which itself is determined by cost (*i. e.*, marginal utility).

3. No matter whether Boehm-Bawerk refers to utility, as he defines it, or to marginal utility, when he declares "utility" to be the sole final determinant of value in all important cases—his conclusion seems to be unsatisfactory either way. If he means utility, as he defines it,* he fails—since he has declared value to be determined by marginal utility, and this by utility and scarcity—to account for scarcity, jumping in his argument from a determination of value by marginal utility to one by utility with utter neglect of the element of scarcity—just as if scarcity were a fixed and given element, instead of being just as much a variable factor of marginal utility as utility. If he means marginal utility where he speaks of "utility" as the final determinant

* See p. 22, above.

of value, then his very statement that utility is the sole final determinant of value in all important cases, leads to the conclusion that in all of these cases cost is an even more final determinant. For Boehm-Bawerk himself shows that marginal utility is determined by utility and scarcity; and I have shown* that it follows therefrom that cost is a determinant of marginal utility.

It seems, therefore, that Boehm-Bawerk's statement in regard to cost is erroneous under all circumstances.

My conclusions in this matter are not affected, as some have thought, by the fact that Boehm-Bawerk, when he speaks of utility, invariably refers, not to something like Adam Smith's "value is use," but to individual utility of a concrete good or quantity of goods.

4. How far I agree with others who declare cost to be a determinant of value, will appear below. I here desire to call attention only to a peculiar mistake which many champions of cost make. They try to defeat utility as the almost sole final determinant of value by battling—and that, of course, in vain—against marginal utility as fully determining value, and by trying—also, of course, in vain—to show that cost, to a greater or lesser extent, determines value either together with or in contrast to marginal utility, instead of putting cost in opposition to utility, and showing that it, as well as utility, is one of the determinants of value, because it affects value, just as utility does, through marginal utility. Many of the champions of utility and opponents of cost, on the other hand, trying to establish their point by showing that marginal utility is practically the sole determinant of value, an issue between marginal utility and cost is strangely created and often prevails throughout the argument, yielding suddenly in the conclusion to the issue between utility and cost, and leaving the allegations as to the relation of these conceptions standing in the air. Neither party seems to recognize that marginal utility and cost,

* See p. 22, above.

properly conceived, stand in no opposition to each other whatever, and that the determination of value by marginal utility even implies a determination of value by cost. The result is much confusion and lack of mutual understanding.

The confusion is increased by the circumstance that many of the writers apparently regard a determination of value by cost as necessarily involving an equality of value and cost;* while it is very plain that value may be determined by cost without being equal to it and also without being determined by it alone. Cost is merely one factor of the variable which we call value.

5. *Marginal utility*† always and everywhere fully determines value.

Boehm-Bawerk cites the case of the ticket for which another one can be obtained by the small personal trouble of another application, as illustrating a determination of value by disutility.‡ But a few pages farther on he says himself that, after all, we have in this case a determination of value by marginal utility. And, indeed, want is satisfied as well by averting and saving trouble as by procuring pleasure. The power of the ticket to save the trouble of another application is its true marginal utility.

Another instance cited by Boehm-Bawerk of determination of value by disutility (the only case in which it occurs

* What has come to be called "equality" in this connection is really not equality at all, but rather a correspondence. Here and elsewhere quantitative comparisons between value, cost, utility, etc., must be understood to refer to degree of affection (positive and negative) of human weal only, without reference to kind. At best, we have equality in a certain respect only.

† By marginal utility, I mean the utility of the last increment contemplated. It refers to the last want which is actually or hypothetically satisfied, and which would go unsatisfied without the possession and use of the increment in question. Why in any case we should have recourse in this matter to the "first unsatisfied want," I fail to see. In reference to things we possess we look at the last wants satisfied by them and not at those beyond; while in contemplating the value to us of things we do not possess, we look at the wants which they would satisfy if we should possess them, and not at the first want which they would leave unsatisfied. In no case is the value of the thing in question dependent upon the first want which that thing leaves or would leave unsatisfied. The matter-of-course-fact that we produce for unsatisfied want has no bearing on this question.

‡ Conrad's *Jahrbücher*, New Series, Vol. xiii, p. 42.

in full force, according to him*), is that of the product of leisure hours. Tools made in leisure hours, he says, are valued by the amount of disutility involved in the labor devoted to them. I regret I cannot agree with Boehm-Bawerk. If a man whittles an ax-handle in his leisure hours and discovers afterward that he has made a bad job of it, he does not value it much, though, perhaps, he spent much time on it; and if, on the other hand, he did a very nice job in a very short time, he values his work not the less because he did it in his leisure hours. Products of leisure hours, it seems to me, are valued just as other products. For similar reasons, I believe, all the other cases must be dismissed which might be or have been regarded as exceptions to the determination of value by marginal utility.

In some of the cases referred to there is really a peculiarity, but it seems to me that what has been taken for a peculiarity of determination by disutility, is really a peculiarity of measurement by a foreign negative value. The case of the ticket above cited is a good example of this class of cases. It is not a disutility of the ticket in the sense of cost, nor any other cost-disutility, but simply the negative value and marginal utility of another application—something altogether foreign to the ticket itself—which serves, not as the determinant, but merely as the measure of the value and marginal utility of the ticket; and this happens simply because this foreign negative value and marginal utility, while indicating, negatively, with accuracy, the amount of the value and marginal utility of the ticket, present themselves more vividly to the mind and are more readily grasped by it than the value and marginal utility of the ticket itself. There is a peculiar measurement, but hardly a peculiar determination, of value in these cases. Surely there is as full and complete a determination of value by the marginal utility of the object in question in these cases as in any other case.

* ANNALS, Vol. v, p. 200, September, 1894.

My view of this matter is further confirmed by the fact that we have an exact correlative to the phenomenon just discussed in the occasional measurement of negative value by a foreign positive value. The negative value of a flood which cannot be prevented is, for instance, often measured by the value of the goods destroyed; and a similar measurement is the rule wherever a good object is defeated or a service prevented by the thing in question; provided, of course, the defeat of that object or prevention of that service constitute the marginal utility of the thing in question.

In all these cases we have simply a measurement of one value and marginal utility by another value, and marginal utility conceived in the negative. At the utmost we can aver a determination of the value of an object by the negative of the marginal utility of another object. At any rate, the phenomenon works both ways, from the negative side to the positive as well as from the positive to the negative, and cost of the object in question is not involved, except indirectly.

6. By what is marginal utility determined? The Austrians tell us "by the relation of wants and their provision," "by utility and scarcity," "by human well-being." Scarcity, they say, determines how far the marginal utility actually does rise in the concrete case, while utility fixes the limit to which it may rise. The information received from the Austrians on this point seems rather meagre. It leaves us somewhat in the dark as to the influence which cost exerts through marginal utility upon value. It leads us, indeed, indirectly to the conclusion that cost is as final a determinant of value as utility is, but this is apparently contradicted by the final conclusion of the Austrian school.

7. The truth in the matter, it seems to me, is this: Marginal utility is always a resultant of utility and of the condition of the supply, present and prospective. All supply is nothing but the available output of the forces at work for its production. The total product of these forces falls short of

the demand; though in some directions, principally where not controlled by man, they produce a supply much larger than that needed by man. In some instances, *i. e.*, in cases of actual over-supply, a burdensome excess of the supply even creates a want, *i. e.*, for protection and removal. As far, therefore, as man controls the forces of production, including those he exerts himself, he aims to economize them, and to regulate the production of his supply so as to obtain the greatest amount of satisfaction from them. Other things being equal, he would aim to supply the wants not satisfied by forces outside of his conscious control, in the order of their importance. But other things are not equal. There is a great difference in the difficulty of satisfying the different wants. Quite as much consideration is, therefore, given to this difficulty as to the urgency of the different wants. In consequence, therefore, many less urgent wants, whose satisfaction is easy, or incidental to that of urgent wants, are quite commonly and normally satisfied, while more important wants remain unsatisfied because of the great sacrifice which their satisfaction involves.

It is on account of the difficulties which nature and man-made conditions interpose between us and the satisfaction of our wants that this satisfaction does not everywhere extend to the point of satiation. Without this difficulty marginal utility everywhere would be equal to zero, and the conception of economic value would hardly ever have bothered man's mind.

8. We find (*a*) that the difficulty in the way of satisfying all our wants, or of acquiring (and in particular producing) the total amount of the things by which these wants might be satisfied, limits this satisfaction, and the supply on which this satisfaction depends. (*b*) That the satisfaction of each particular class of wants, and also that of each individual want, depends upon the comparative difficulty of their satisfaction; and that the amount of the supply serving to satisfy the different wants always depends upon the

comparative difficulty of procuring or acquiring the different supplies. In consequence, marginal utility and value are in absolutely every case determined as much by the difficulty of procuring or acquiring supply as by anything else.

The difficulty of procuring or acquiring supply which is effective in determining value in this way is not the difficulty of procuring or acquiring any amount of supply, and likewise not the actual difficulty, encountered in the past, of procuring the goods under consideration themselves,* but the difficulty of procuring or acquiring then and there, or within fairly discountable distances of time and place, and by the means within reach, at the margin of difficulty,† additional supply equal, in capacity to subserve human weal, to the things under consideration under the particular circumstances; or, in short, the marginal difficulty of substitution, or replacement.

The difficulty of anything is measured by the sacrifice necessary to overcome such difficulty. Sacrifices, in relation to the object for which they are made or would have to be made, are called cost. Marginal cost of substitution, or replacement, is therefore a determining element of value to the same extent as marginal difficulty of substitution, or replacement. Cost may consist of any sort of discomfort or of pain, of loss of goods or services, loss of the benefits to be derived therefrom, loss of time and opportunity to enjoy pleasures, or of any other sacrifices. These sacrifices may, like the utilities of things, be spiritual or moral as well as temporal; may be measured each in terms of the others, by the same process of mental balancing as that by which we measure pleasures, utilities and values; and may, also each and all, be measured in terms of pain, contemporary or other, or even in terms of value and pleasure. ‡

* See Sections 10 and 13, below.

† What is meant by the "margin" of difficulty hardly needs further explanation; likewise, it is hardly necessary to warn against its confusion with the "margin" of utility.

‡ Compare Section 5, above.

9. The marginal cost of substitution to which I have referred is a cost of acquisition, not of production or of reproduction. To him who produces his supply himself, and to society as a whole, the marginal cost of acquisition of supply is of course the same as the cost of production of it. The same holds true with the so-called "free goods," the cost of production of which is equal to zero. It is otherwise, in many respects, with the goods which man obtains by barter or exchange; and these, at least under present social conditions, constitute the bulk of the goods which claim our interest. Their cost is affected by division of labor, industrial organization and combination, and restriction by law and natural conditions. In particular these factors cause a great decrease in the general cost of production, as compared with what it would be if everybody produced for himself. But the full benefit of this decrease goes to the acquirer (buyer) as such, as a rule in the case of freely reproducible goods only. In their case, cost of substitution is usually about equal to that of production (including, in the wider sense, cost of exchange, delivery, etc., of additional supply) or of reproduction. In many cases, however, much more has or would have to be sacrificed for substitution, *i. e.*, acquisition of further supply, than what it costs, or would cost, to produce further supply at the margin. This is the rule where the supply is controlled by a monopoly. With other supplies again, in particular with irreproducible scarcity-goods and with depreciated goods, the reverse holds true:—the marginal cost of substitution is commonly lower than that of the production of additional supply, or of reproduction. Everywhere, even where cost of acquisition, of which that of substitution is only a particular kind, is in individual cases so very different from cost of production, the former is in the long run largely controlled by the latter; though to perceive this plainly we must consider the whole field of production and exchange within long periods of time. But, after all, it is only in so far as cost of production, or reproduction, is

equal to, or influences marginal cost of acquisition, and in particular marginal cost of substitution, that it is an element of value.

10. It must be observed, furthermore, that it is a contemporary cost of substitution, and not the actual cost in the past of the object under consideration, which determines value. The actual cost of acquisition of the particular goods which we may be considering is of moment for the determination of value only in so far as it is equal to or influences the contemporary cost of substitution. But this is very frequently the case, since economic conditions are more or less stationary, and since custom and habit have a certain weight in fixing values and prices. In the continuous process of events, furthermore, past and contemporary cost merge into each other, and even in individual cases there is often very little difference between the actual cost of the things under contemplation and the cost of additional equivalent supply. Thus, the impression of a complete dependence of value on actual cost of acquisition, and production,* is easily produced on an untrained or careless observer. Except in the case of scarcity-goods (where as a rule there is a marked difference between actual cost of acquisition and production in the past, and contemporary cost of acquisition and production of additional supply) it has often been held therefore that there is a more direct and fundamental dependence of value upon actual cost of acquisition and production in the past, than that seeming determination which I have just described, and which partakes rather of the nature of a concurrence than of that of a dependence. But one has only to observe how value is affected by a sudden great change of marginal cost of acquisition or production, resulting in a great difference between contemporary cost of substitution and actual cost, in the past, of the object considered, to be convinced that actual cost in the past is not a determinant of value in the strict sense.

* See Section 9, above.

In general it may finally be observed that, from the relation of marginal cost of substitution to marginal utility and value, the relation of any other kind of cost to marginal utility and value may easily be determined by a contemplation of the relation of such cost to marginal cost of substitution.

11. The character of the determining influence which marginal cost of substitution exerts upon marginal utility and value, and the result of this influence may be stated in the form of a law or rule as follows:

Marginal utility and value never rise above marginal cost of substitution; if lower than this cost, they generally tend to rise up to it; being limited, however, in following this tendency by the upper bounds of utility.* In a shorter form, giving the most important application of the rule only: *Value generally tends to equal marginal cost of additional supply, but not beyond the bounds of utility.*

This rule applies to the whole field of valuation. The reason of the rule is plain. On the one hand, the value and marginal utility of an object can never be higher than the cost of a substitute equally capable to subserve human weal. On the other hand, they can be lower than this cost only where the supply is so plentiful in comparison with the demand, that there is no use for any addition to it. But consumption and the decay incident to the lapse of time generally reduce the supply and tend to move marginal utility and value upwards to the upper limit of utility; exceptions, other than temporary, occurring only where the supply lastingly increases as much as or more than the demand.

*To obviate misunderstandings I wish to remark that by "value" in this paper I refer, in accordance with Boehm-Bawerk's definition on page 130 of his "Positive Theory of Capital," primarily to the importance for human welfare *possessed* by an object. Those who prefer to apply the term to the importance for human welfare *ascribed* to an object, will find little difficulty in recognizing how my conclusions would have to be modified in order to adapt them to that definition. Any object, for the purpose of this discussion, I regard as important for, and as subserving, human weal, according as it satisfies human wants and desires, regardless of their moral quality.

Now the upper limit of utility either (*a*) may attain or surpass the marginal cost of substitution—this is the rule with the utility of most of the goods with which we have to deal—or (*b*) it may not do so—as in the case of an original masterpiece of which no duplicate exists or can be made. In the former case (*a*) marginal utility and value will frequently be, or become, equal to marginal cost of substitution and will generally have a tendency to do so; in the latter case (*b*) marginal utility and value cannot equal marginal cost of substitution, but will tend to do it as far as the upper limit of a possibly falling utility permits.

The equalization of value with marginal cost, or the tendency toward it, is carried into effect by a rise or fall either of marginal utility and value, or of marginal cost, or of all of them—such rise or fall being the result either of changes in natural conditions, or of the acts of man. Man is guided, in his actions which affect marginal utility, largely by considerations of marginal cost, and *vice versa*, and, therefore, a mutual interdependence subsists between the two conceptions. We have not a simple dependency of marginal utility upon marginal cost; though the determination of the former by the latter is the phenomenon which most impresses us.

The explanations of this section might be amplified by a discussion of the phenomena appearing under certain more complicated conditions. An instance is the case of alternate uses, where we have as a rule to consider several costs of substitution as well as several uses and utilities in regard to one and the same object. I desire, however, to confine myself in this paper to the discussion of leading principles.

12. Even defenders of cost have said that in the case of scarcity-goods, value is determined by utility alone. At first glance this would indeed seem plausible. But what makes goods scarcity-goods? Is not a scarcity-good a good whose marginal cost of substitution is disproportionately large or infinite? And is it not merely because marginal cost of substitution is so large with these goods, that utility apparently

rules supreme in their case? This cost, therefore, is just as much an essential element of the value of these goods as their utility.

In the case of free goods, marginal cost of substitution is equal to, or below, zero, and marginal utility and value are equal to, or below, zero. That this is not a mere accident appears quite clearly whenever these goods cease to be free, *i. e.*, whenever their marginal cost of substitution goes up above zero. Let water or air become scarce, and there is eventually hardly anything man will not give for even a small quantity of them. In this instance, as elsewhere in the case of necessaries, the highest utility being infinite and the demand constant, value adjusts itself so closely to marginal cost that it hardly ever deviates from it.

Suppose, next, that marginal cost of supply of an article be made uniform through a monopoly at a certain price. If, before this occurs, marginal utility has been above that price, it comes down to it at once; if marginal utility has been below the monopoly price, it tends to rise to this price, and, in the long run, stays below it only if the utility of the article nowhere attains the monopoly price. So long as this is the case, the marginal cost of substitution being beyond the upper bounds of the utility of the article, its value will never equal this cost, but will constantly tend to rise to it, ultimately equaling the highest utility of the article, but of course unable to rise beyond that. Practically, such a case rarely occurs, because monopoly prices are usually fixed so that sales can take place.

In the case of freely reproducible goods finally we have as a result of the working of the forces described under Section 11, a constant tendency of value and marginal utility to equal marginal cost of substitution. This tendency is none the less potent because a nice adjustment in accordance with it is frequently prevented by disturbing factors, or by the indirect manner in which the tendency often has to exert its influence.

13. The law of costs, which holds that the value of freely reproducible goods, in the long run, adjusts itself according to their cost, has its foundation in this tendency. It holds true, not only if understood to refer to marginal cost of substitution, but also if understood to refer to cost of reproduction, or even to actual cost of production.*

The medium in which we calculate cost in this connection does not make any essential difference. We may calculate cost in goods, labor, money, pleasure, or anything else of value and positive utility, or in pain, and find the law of costs confirmed. But of course we must calculate correctly. We cannot obtain correct results, unless in summing up costs and in bringing them under one denominator, we take account of all the sacrifices actually incurred as cost, and employ true economic equivalents for them. We must, for instance, not neglect the influence of time or the differences of quality. To illustrate: Though to the skilled laborer himself his work is perhaps less painful than to the unskilled, still it costs a great deal more to procure additional supply or a substitute in the case of skilled labor than in the case of unskilled labor, and, therefore, a greater amount of economic sacrifice, pain and discomfort is represented by the expenditure of skilled labor, and involved in its (at the same time more productive) employment. Very manifestly, if, in calculating cost, we take account of one kind of cost only, where other kinds are involved at the same time, or if we neglect time and quality, we cannot but arrive at the conclusion that if we calculate cost in that manner, the law of costs does not hold true.

14. Boehm-Bawerk, the other Austrians apparently agreeing with him, says that the cost referred to in the "law of costs" in most cases is determined by utility, and by it alone. This doctrine, and the reasoning upon which it is based, seem to be open to objection. If cost is identical with the value of the productive power, and this is determined

* See Sections 9 and 10, above.

by marginal utility,* it does by no means follow that value is finally determined by utility. We can, at best, reason from value and marginal utility through cost to another value and marginal utility; but thence, without heed of the "marginal," to utility, or even to sacrifice-utility is a jump fatal to the soundness of any conclusion. Sacrifice-utilities,† by the way, look to me much more like costs than like utilities; disbursements are not receipts.

But what of the leveling of marginal utilities with marginal utilities of which Boehm-Bawerk makes so much? This leveling fulfills an important function, but it affords only a very partial explanation of the law of costs. It does not go to the root of the matter. After all the leveling of marginal utilities with each other has been done in a specific case that can be done, we still may properly inquire: What determines these marginal utilities in their totality, and thereby every one of them, and why do we not find all of them at zero? The leveling of marginal utilities with marginal utilities gives no answer. We find it in the difficulty of procuring supply which is represented by cost.

It is a balancing of utilities with costs which in the end determines the margin of either, under consideration of the urgency of human wants on one side, and of the difficulty of their satisfaction, growing out of natural or artificial conditions on the other.

This balancing of utilities with costs Boehm-Bawerk has, it seems to me, confounded, or certainly neglected in comparison, with the leveling of marginal utilities with each other. He apparently overlooks the intrinsic distinction between utility and cost as well as the great independent influence of the latter. But for cost the problems of value would hardly vex us at all.‡ Here want, there difficulty of supply; here pleasure, there pain; here gain, there sacrifice; both sides have an importance of their own, and,

* ANNALS, Vol. v, p. 199, September, 1891.

† *Ibid.*, p. 207.

‡ See Section 7, above.

to that extent, must be kept strictly apart. The one is the economic reverse of the other. The excess in favor of pleasure and gain largely determines human well-being, progress and increase. Value is determined in the effort to make these as large as possible. Human well-being itself, though apparently an independent factor in the determination of value, is, in the long run, largely a result of the same conditions and forces which determine value.

15. So far we have considered almost exclusively positive value. Value, however, often is, or becomes, negative, going down with marginal utility below zero. In all such cases we find the limit below which the negative value and marginal utility of anything cannot fall, marked by "the cost of then and there, or within fairly discountable distances of time and place, and by the means within reach, either preventing or removing, according to circumstances, a supply, including here the object under consideration, of equal detriment to human welfare, at the margin of easiest prevention or removal," or by analogy: by the marginal cost of repression. This means that negative value never grows larger in the negative direction than marginal cost of repression, or, what means the same, never falls below it, considering marginal cost of repression as negative cost. This limitation on negative value equally applies to value in general. So likewise does the rule stated for positive value under Section 11, above. By combination we obtain then the following general rule:

*Value and marginal utility of an object never rise above marginal cost of substitution and never fall below marginal cost of repression. Within these bounds they generally tend toward an equality with marginal cost of substitution; this, however, not beyond the upper bounds of the positive utility of the object in question.**

* This rule, under consideration of what is said in the note to Section 4 above, and under Section 21 below, I should prefer to frame as follows: The value of an object always corresponds to the economic efficiency of such object. Value, in amount, never rises above marginal cost of substitution, and never falls below

16. From what I have said I hope it appears clearly that cost is always a distinct and most essential factor in the determination of value. But its function, if my view is correct, is more or less different from what it is said to be by most, if not all, other defenders of its value-determining quality. Sharp distinctions must be drawn, in the way indicated in my previous remarks, between the different kinds of cost which I have mentioned. These distinctions, though most, and perhaps all, of them not new, are frequently overlooked. Cost, furthermore, does not by itself alone determine value in any case. Without utility there is no value—in the case of freely reproducible goods as little as anywhere else. He who regards cost as the sole determinant of value in the case of freely reproducible goods, assumes utility as a matter of course, just as he who regards utility as the sole determinant of value in the case of scarcity-goods, assumes cost as a matter of course; the one as much as the other erroneously. Those who represent value as determined by utility and cost in conjunction, come nearest to the truth, if I am not mistaken. But (*a*) most, if not all, of those who stand for this view of the question, except scarcity-goods. Some of them (*b*), furthermore, represent value as either generally, or at least in the case of freely reproducible goods, always determined by a meeting of utility and cost (comparison with the blades of a pair of shears). In reality (*a*) the same law applies to the whole field of valuation, and (*b*) even in the case of freely reproducible goods there is only a strong tendency of value (and marginal utility) to equal cost, but by no means always a meeting of the two. Finally, the rule given under Section 15 states a twofold limitation on value and marginal utility by, indeed two different kinds of, cost, which seems to have been overlooked in this connection.

17. As to the connection of labor with value, it is indeed marginal cost of repression. Within these bounds value tends to correspond in amount to marginal cost of substitution; this, however, not beyond the upper bounds of the positive economic capacity of the object in question.

clear that labor has much to do with the determination of value. But utility and cost fully cover the ground. Labor determines value in so far only as it constitutes either cost or utility; it may constitute either because labor has come to be used in economics to denote not activity only; but, among other conceptions, also the sacrifice involved in labor, and the advantage of command over labor. In the former sense labor constitutes the most important element of cost; in the latter it constitutes frequently the chief utility of an object. It is manifestly untrue that the labor socially necessary to produce or reproduce a good finally and completely determines its value in all cases. It is not true, not even in a single case, because such a proposition ignores altogether the important part which utility plays in the determination of value.

Those who represent value as ultimately and completely determined by labor have fallen into their error, I believe, through a confusion of the determination of value with the creation of wealth; through a tendency to exaggerate the importance of labor; through a confusion of determination and measurement, and through a mistaken notion as to the dependence of socialism on such a theory. The mistakes here involved, in connection with the fact that to the man without property most sacrifices he makes in the procuring of goods resolve themselves into labor, evidently served as the basis of, and have given a specious plausibility to, that straight and uncompromising labor theory of value which was apparently thought by Marx and others to be the very key to the position of socialism. Socialism, however, is not dependent upon this sham, and does not rely upon it except in wrong theories. If the socialists want a society in which labor (-cost) regulates all values, what necessity is there of alleging that labor completely and finally determines values everywhere, and especially in the present society? It is not difficult to refute such a proposition. But to refute it is not to refute

socialism. The socialists, therefore, had better give up this mistaken support and change their position in regard to this matter so as to demand simply a society in which labor (-cost) regulates values to a larger extent than it does in the present society. It would relieve them from defending an absolutely untenable position, and some of their adversaries from believing that they have captured the citadel of the enemy, while they have taken merely a worthless breast-work.

Even in a socialistic society, though there might be a regulation of values according to labor, there would be a complete determination of values by labor only in a limited sense. There would be something in the nature of a pooling of all the other sacrifices, all except labor, which the procuring of goods would make necessary; they would be borne by society as a whole, and thrown upon the different goods and thereby upon the consumers in proportion to the labor involved in producing or procuring them. It is evident that the influence of these other sacrifices would thereby not be abolished, but merely regulated, and concealed to superficial observation, being made to follow the determining influence of labor (-cost). There would, furthermore, not infrequently occur more or less serious deviations of value and price from the (labor-) price of the socialistic state, because, as we have seen, marginal cost of substitution, presuming even that the socialistic state should gain full control of that, holds by no means absolute sway over value and price. It would require prudent management to overcome the difficulties which would arise from this source.

As to Adam Smith, he evidently regarded labor not as the exclusive determinant of value, but merely as a superior measure of it, and even that not without qualifications. He speaks of labor indeed as of an ultimate standard of value; but a standard is a very different thing from a determinant.*

* The German word "*Bestimmgrund*" may properly be translated by "determinant," but not by "standard." The German equivalent for "standard," in its proper application in the discussion of value, and in the sense in which Adam Smith uses it in this connection, is, "*Normal mass*," or simply "*Mass*."

18. We have reached the conclusion that value and marginal utility are determined by utility and cost (of substitution). Any disturbing factors, if there are any, can be important only in the contemplation of individual cases of valuation. In the long run they merge into utility and cost. Cost of substitution, furthermore, in the long run is the same as cost of supply, and this in turn is, in the long run, the same as cost of production in the wider sense. In a general way, then, utility and cost may certainly be regarded as the great determinants of value, comprising all the elements which enter into the problem, and fully covering it; the one from the side of advantage, contentment and pleasure (not to be understood in the narrow, hedonistic sense), derived from the satisfaction of wants, the other from the side of the difficulty of the attainment of an equivalent satisfaction, and of the pain to be endured in such attainment. If more attention and space have been devoted in these pages to the discussion of the influence of cost upon value than to that of utility, it is, of course, not because I regard the latter as the less important of the two, but simply because its importance has been better demonstrated and its influence on value better explained.

19. I proceed, in this paper, upon the theory that usefulness (*Nuetzlichkeit*) and utility (*Nutzen*) are essentially synonymous. Common usage and the acknowledged authorities on language alike sanction this theory; it has the approval of so thorough an exponent of the Austrian school as Professor W. Smart,* and Boehm-Bawerk's use of the words in many places seems to confirm it. There are, however, strong indications that utility is often used by most, if not all, of the Austrians in quite a different sense from that of "capacity to subserve human weal," and I apprehend that the various meanings inconsistently attached to the word "utility" have been the source of not less serious misunderstandings than the variety of conceptions covered by the

* "Theory of Value," p. 12.

word "cost." Two meanings in particular have been attached to the word "utility," which widely differ from the conception of "capacity to subserve human weal." One is "importance;" the other "influence upon human weal." Boehm-Bawerk himself speaks of marginal utility as an "importance;" and if marginal utility denotes importance, utility denotes importance also.

Utility in this sense is always equal to marginal utility in the corresponding sense.* If Boehm-Bawerk uses utility, in contradistinction to usefulness, to denote importance, then, of course, he cannot be criticised for jumping from marginal utility to utility. But his position regarding cost still remains wrong. Cost in this case is, in common with usefulness, always a determinant of value through utility, and it is, therefore, wrongly put in opposition to utility.

Besides, two further objections have to be raised if utility is used in the sense of importance. The first is that utility is used in an altogether unusual sense, and, that, without a special declaration to that effect, a distinction is introduced into the use of two common words (utility and usefulness) which is neither in accordance with common usage nor sanctioned by the authorities on language. The second is that utility, in the sense of "importance," is synonymous with (subjective) value; so that the discovery that value depends on utility amounts to nothing, and constitutes even a step backward from the valuable discovery that value is determined at the margin. All the purposes which marginal utility, in the sense of "importance of the marginal increment," serves may just as well be attained by the conception of marginal value. There is no need in the theory of value for two conceptions, both denoting importance ("Bedeutung" or "Wichtigkeit") of goods.

* Some might think that marginal utility, if utility is used in the sense of "capacity to subserve human weal," would be as large as this utility is in general; for is not the marginal increment just as capable "to subserve human weal" as any other increment? This objection is obviated if we regard marginal utility as *that* "capacity to subserve human weal" to which the marginal increment is limited as such marginal increment.

The employment of utility in the sense of "influence upon human weal" largely obviates the last two objections urged against its employment in the sense of "importance." The allegation that value, *i. e.*, "importance for human weal," depends on utility, *i. e.*, "influence on human weal," would seem to constitute a real logical step, though a very short one. The two conceptions are not synonymous; still, there is so little difference between them that the second one is not absolutely necessary as a regular part of the theory of value. From the standpoint of language, not very much objection can be raised against the use of utility in the sense of "influence on human weal;" such use is not extraordinary, though, as a rule, confined so as to denote beneficial influence on human weal, or positive efficiency in subserving it.

But what I have said about utility, in the sense of "importance," regarding its relation to the determination of value, to marginal utility and to cost, also holds true with utility in the sense of "influence upon human weal." I have searched in vain for a meaning of the word utility which would justify its being set up, as against cost, as the exclusive or approximately exclusive, final determinant of value, even in a single case.

20. Perhaps it would be desirable to eliminate, in accordance with Professor Smart's suggestion,* the word utility altogether from the discussion of the theory of value, and to use usefulness exclusively. Until some agreement is reached, I shall use utility as synonymous with usefulness, and both in the sense of "capacity to subserve human weal." Personally, I should prefer to employ usefulness, if the word is retained at all in this connection, to denote "influence on human weal," and to express the conception of "capacity to subserve human weal" by "capacity for usefulness" (*Nutzfähigkeit*). Then value, being equal to marginal value, would be fully determined by usefulness,

* "Theory of Value," p. 12.

which, in turn, would be equal to marginal usefulness, and would be determined (like marginal usefulness) by "capacity for usefulness" and "cost" in conjunction. Utility, if its use were retained in this case, I should prefer to have used as a synonym of usefulness.

Best of all it would seem to me to use neither utility nor usefulness in the discussion at hand. They cannot be used in their really proper sense; every teacher of elementary economics now finds it necessary to explain to his pupils that the most useless and vicious object may be an exceedingly useful thing from the standpoint of economics. Why continue this distortion of language, if it can be avoided? It seems to me that the expressions "economic efficiency" (*Wirtschaftliche Wirksamkeit*), and "economic capacity" (*Wirkungsfähigkeit*), would answer every purpose. All that would have to be explained is that by "economic" we refer to that which pertains to the satisfaction of human wants, regardless of the effect such satisfaction has on human well-being.* It is furthermore manifest that in the course of economic discussion the proposed terms often might be used without the qualifying "economic;" especially where "marginal" is added. The proposed terms would have the further advantage that they would lend themselves as well to the discussion of negative value as to that of positive value; this cannot be said of utility and usefulness.

21. A full determination of value by the conceptions of utility and cost does not exclude equally full determinations of value by other conceptions, and the importance of the theory of utility and cost must not be overestimated in this direction. A triangle is determined in several ways, and the same chemical compound as a rule may be formed or dissolved by several methods. So, there is no doubt, a determination of value may be made in other ways than that

*The adoption of the proposed terms would also counteract the economic misuse of "human welfare" and "well-being" as identical with the satisfaction of human desires. I have given way to that in this paper because I wished to follow the phrasology and definitions of others.

discussed above. For instance, supply and demand, marginal pleasure and pain, wants and aversions, benefits and sacrifices, and marginal value suggest themselves as conceptions by which other—possibly in many ways not as expedient, but in many ways better—solutions of the problem have been or might be arrived at, even without any mention of utility and cost at all. For we must be conscious of the fact that utility and cost are by no means elementary factors. The elements contained in them may, therefore, easily be comprised in other conceptions, differing from utility and cost, not only in name, but also more or less in individual content. Of course any correct theory operating with such other conceptions, would, if the theory here presented is right, confirm and support it. This, I believe, is the case with the present demand-and-supply theory, if rightly understood.

22. It is because utility and cost are not elementary factors that I do not call them final determinants of value. Though I objected, under Section 3, above, to marginal utility only as a final determinant, it must not be inferred that I would approve of utility as such. All I intended to say was this: That marginal utility, being determined in part by cost, could not be set up as against cost as the final determinant of value, not even in the limited sense in which the expression has come to be used in the controversy over the final determination of value. Nothing that is not really, at least to our best knowledge, a final element, ought to be distinguished by this adjective. We have found such elements in mathematics and logic, and in a more limited sense in physics and chemistry; in economics, strictly speaking, we have not found them. It may, however, be said that economics is a science of the third or fourth grade, not aiming to trace its conceptions to absolutely elementary foundations, but operating with the complex conceptions of the fundamental sciences (mathematics and logic—physics and chemistry—physiology, biology, psychology, etc.), as its elementary ones. From this standpoint possibly utility and cost, and

certainly pleasure and pain, might be regarded as final or ultimate in economics. It is in this sense, it would seem, that these adjectives have been frequently employed in the controversy over the final determination of value, while on many other occasions in that controversy they have been used in a relative way merely:—referring to utility, or marginal utility, as final determinants only in comparison with other determinants (*i. e.*, labor, cost, etc.), and *vice versa*.

The really final determinants of value, if there are any, and their relations to value, are beyond our vision, and plain and intelligible to an all-comprehensive mind only. Nevertheless it is a task not only of theoretical interest, but also of eminently practical importance, to penetrate further and further into the maze of relations before us, and to gain all possible clearness about them.

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THE PLACE OF THE POLITICAL AND SOCIAL
SCIENCES IN MODERN EDUCATION,
AND THEIR BEARING ON THE TRAINING FOR CITIZENSHIP
IN A FREE STATE.*

It will be noted that among the subjects to which the Academy has given some attention from the beginning of its work belongs the wide field of education, and I have been asked on one or two occasions why an Academy of Political and Social Science should concern itself with education or educational problems which seem to belong rather to a society for the promotion of pedagogy than to ours. In reply we may say that education has become one of the great branches of public administration. This century will be known to coming generations very largely for the fact that education has become a function of the state. It is becoming to an increasing extent, secular. It is passing in an ever larger proportion from the control of the church to the control of the state. If you were to look over the budget of any of our great modern cities for the eighteenth century, you would find that education, as a subject of expenditure on the part of the community, played almost no part whatever; whereas, if you examine the budget of these cities to-day, you will find that it is one of the largest departments of public administration, that it involves an expenditure oftentimes in excess of that of any other single branch of public service. Now this passing of education from the hands of the church, and private individuals, or of private associations and corporations, into the hands of the state, cannot have occurred without a deep and fundamental reflex effect upon the

*An address delivered before the American Academy of Political and Social Science at the general meeting, April 21, 1897, by the President of the Academy, Edmund J. James, A. M., Ph. D., Professor in the University of Chicago.

methods, spirit and attitude of education itself. The questions relating to educational organization, to educational integration, have become among the most important falling within the general field of the political and social sciences. So that, so far from our having gone out of our way in giving so much attention to these problems, we are really face to face to-day with the question of education as never before. We must give therefore an increasing rather than a decreasing attention to a subject which thus presents itself at many unexpected points in the problem of city and state government, and from all present indications is destined to assume an ever-increasing importance.

There is another and perhaps an even more intimate aspect to the relation of the Academy to educational questions, and that is, the relation of the subject-matter to the cultivation of which the Academy is devoted, to the great problems of education higher and lower in this and other countries. The social sciences, using that term in the broadest sense, are concerned with society, its organization, its history, its characteristics, its relationship to other sides of the history of mankind, etc. It is natural that as our knowledge of these subjects increases, it should assume a new and more important relation to pedagogical questions in the narrowest sense of the term than it had in the earlier days. It is therefore appropriate for an organization of this kind to give a somewhat special attention to this particular subject in these times when every man, and possibly every woman, is called upon at one time or another to express a judgment or possibly to undertake an action, prompted by, or at least based upon, some theory in regard to these fundamental questions. I have no apology to make, therefore, for the topic which I have chosen to discuss and to which I wish to call your most careful consideration.

What is the relation of the political and social sciences; those subjects to the cultivation of which the Academy is devoted, toward the great problems of modern education,

and what is their bearing upon the problem of training for citizenship in our modern free states? It will be, perhaps, as well if, for the sake of clearness, I lay down in a somewhat direct and dogmatic way the proposition which I propose to advance for your consideration, and in regard to which I shall offer certain suggestions. I propose, then, this thesis: that the political and social sciences, or perhaps better, that the subject-matter of the political and social sciences must be utilized for purposes of education or instruction in all grades of our educational system, from the university to the kindergarten. I mean that politics and economics, using those terms in the largest sense, or that the subject-matter of these sciences, must become a constituent part of the educational curriculum, using that term in the largest sense, of our system of intellectual, political and industrial training.

I am aware that, in using these terms, the sciences of politics and economics, I am assuming something which many able authorities would maintain stands in need of proof; namely, that these subjects are real sciences. I know a distinguished college president, who in opposing the development of these subjects in college, said, not long ago, that there was nothing, no branch in this whole field, to which the name science could be strictly applied. They were at most subjects of investigation and research of more or less value, evidently implying in his remarks that they were of less value. Now it is undoubtedly true that you may make a definition of the term science which will exclude from that designation political economy even in the highly developed and complicated formulæ of the mathematical school, or in the only less complicated and somewhat attenuated formulæ of the Austrian school. If, for example, you make a definition of science which would include only mathematics, or a subject similar to mathematics, it is evident that none of these subjects would properly fall under the term science. Or, if you included under that term only such a subject as inorganic chemistry or mathematical physics,

these topics might be excluded in the same way. I am not, however, much concerned about this particular proposition.

Whether the so-called political and social sciences are really sciences or not, or whether they are merely subjects for investigation and research, or whether they are mere aggregations of more or less interesting facts, is for my purpose a matter of indifference. Whatever they may be from this point of view, my proposition is that this sort of instruction, the information we have about these particular subjects, is destined to be utilized more and more in our educational system. Perhaps in order to place the proposition in a clear light, we may take an analogy from the history of the natural sciences. The whole group of natural sciences as they exist to-day were at one time nothing more than subjects of investigation and research, and they stood if not absolutely outside of, certainly in no intimate relation whatever to, the educational system as such. They were not subjects of instruction in the educational institutions; they were not instrumentalities or means of educational training. They formed the subject-matter of investigation on the part of isolated scholars; men sometimes, it is true, who were professors in universities, but men who were compelled to carry on their investigations largely outside of the university, because of the non-recognition given by the university system to these subjects. They were above all, topics for an academy, in the sense of a body of investigators who, without any necessary relation to the educational system of the country, were carrying on their various researches into these and other subjects. We find that after a while the natural sciences, as they became more distinctly differentiated, as the number of people interested in them increased, as the results of investigation and research in the respective fields became more valuable, passed into the universities as a part of the curriculum, as a part of the means of instruction, as an essential element in the educational system itself. They became in the first place, in

the universities on the Continent, not merely subjects of investigation and research, but also means of giving a professional training to people whose future vocations and pursuits were based upon a knowledge of the content of these subjects. Thus, in the universities, they became of importance in connection with a training for a medical career, with the training for an agricultural career in a large way; they became, in a word, the basis of professional instruction in the schools. This remained for a long time their sole function. But, as their content increased, as the bounds of knowledge were pressed ever farther into the region of the unknown which surrounds mankind, they began to have a reflex effect upon the cultivation of all branches of learning, even those which like philosophy and grammar and literature had stood most completely outside of all relation to the development of these subjects. They began to influence in a most profound way the attitude of students and investigators in every other department of human science. It soon became evident, as a result of this development, that natural science had come to have a new relation to educational problems. The time had come when this new relation was to be realized by a change in educational methods, in educational curricula, and educational machinery and organization. Natural science became a recognized element of general training, a recognized element in the culture of the educated man. It was thus passed down into the sphere of secondary training, and in the first place, in this country, in what might be called the upper part of secondary training, namely the college.

The opposition offered to the introduction of this element into our educational system was so prolonged, so severe and so bitter, and the progress for a time seemed so slow, that many men despaired of the time ever coming when the proper claims of this department of human knowledge should be recognized. And it is interesting to note that the establishment of the American high school side by side, and for a

time out of connection with the college, was one of the most efficient instrumentalities in the introduction of the natural sciences, as a means of education and training. The high schools beginning under auspices and under conditions which put them to a certain extent in antagonism with the colleges, tried from the very first to assign a large part in their scheme of education to training in natural science. Those of you who have followed the history of this movement know well under what discouragements it was carried forward, and even within ten years it has been possible to hear distinguished college presidents, and distinguished college professors, declare that natural science is not a proper subject of instruction for pupils in the high schools; that natural science should be reserved, if not for the post-graduate student, at least for the college student in the last year or two of his course. But the logic of events has been too strong for such mediæval theories of education, and so far from being content with the introduction of instruction in the natural sciences into the lower grades of colleges and into the upper grades of high schools, the effort is now making to carry down instruction in these subjects through all grades of schools, even into the very kindergarten. The wisest and most progressive educators are standing to-day for the introduction of the study of natural science, under the term nature study, into the very lowest grades of our schools. We are beginning to recognize that the study of the external world about us is not only valuable as a means of intellectual discipline, but that no education can be complete, no education can be well rounded, no education can be natural and in harmony with the conditions under which human beings must live and grow, which does not from its very beginning incorporate as an essential element the systematic study of the great world of nature about us. It is not merely a question of information about botany, or zoology, or geology, it is a question of the mental attitude of the individual, of the generation, of the race, one may

say, toward all problems which confront it. There is no doubt that when this instruction has become an essential part of every grade of our school work, we shall have a new, a higher, a better developed scheme of education than we have thus far elaborated. The notion that the study of things must be preceded by the study of words, or that the formal training of grammar and philology and philosophy, and the formal training in æsthetics which we may obtain from literature, must precede a study of nature which was the idea of the old education, and continues to be the policy upon which our educational system, as a whole, is based at present—I say such an idea must give way before the sounder view that the study of nature is fundamental and elemental, that just as from the very beginning the child comes in contact with nature in his unconscious education, so he should come into conscious contact with nature when the period of his conscious education opens. Nature study, then, will not follow, but will accompany; and if there is any question of precedence, will probably precede, the kind of education and training characteristic of our educational system up to the present. Thus nature study has become, or is becoming, an essential part of every grade of our education. So, I believe, will social study in the same way become an essential and necessary part of every grade of our systematic education.

This development will, in my opinion, occur, because, in the first place, of the importance of these subjects and studies to the welfare of modern society in general, and especially to the welfare of modern free societies, of which ours is a type.

Human society, for the first time in history, is coming to itself, is becoming conscious of definite ends and purposes toward which it is striving; of the possibility of setting up certain ideals toward which it can ever struggle. It is reflecting upon its own constitution, the ends and purposes of its own existence, as never before. I do not mean to say,

of course, that there have not been men in preceding ages who have reflected upon these important and fundamental problems of human existence. The philosophers of Athens and Rome, the leaders of mediæval and early modern thought, concerned themselves with these questions to a very considerable extent; but the number of people who are interested in these subjects to-day is so enormously greater than ever before, the belief of modern society in the possibility of self-improvement and ultimate perfectibility is so much more vivid than at any preceding period in the life of humanity, that we may fairly say we have entered upon a new era in this respect. Now it does not take a reflecting society or community very long to come to the conclusion that the possibility of attaining to such ideals as it may set before itself turns among other things upon its own knowledge of the underlying principles of social organization, of the tendencies and forces at work in social, political, industrial and commercial life. These questions are destined, therefore, to receive an ever-increasing attention. The sciences devoted to these subjects must therefore increase and not decrease, must wax and not wane, must be multiplied and not diminished.

One may object to this argument from the philosophic point of view that human progress in social, political and industrial lines is very largely unconscious; that human beings secrete institutions as bees do honey; that the part which the individual or the generation, or the sum total of individuals or generations, have in determining by conscious volition the progress or discipline of human society is so infinitely small as to minimize to the lowest point the importance of all such considerations as I am advancing. It will be pointed out that at no period in the history of the world has anyone been able to prophesy the lines along which human society would develop. At no period in the history of the world has anyone been able to point out the direction in which subsequent development would take place. Indeed,

some people even say that the effort of every generation is devoted to undoing the well-meant efforts of former generations which were directed toward accomplishing certain definite ends under the impression that along that line lay the hopes of human progress. They will call attention to the fact that the Athenian, who saw the former power depart of his beloved city, which to him stood as the very eye of Greece and all the world, as the very light of the world set upon a hill, no matter how wise, no matter how philosophic, he might be must have felt that the end of the world had indeed come when the Macedonian legions encamped at the foot of the Acropolis and the sceptre passed forever away from the Athenian democracy. Yet this even, so far from marking the end of Athens and the end of Greek culture, was only the beginning of its influence over a large part of the known world; an influence which shows itself in countless directions in the Orient even down to the present day. How much more completely must he have felt that the end of Greece had come when the Roman eagles were carried into every separate valley and planted upon every separate hill-top in his beloved land! And yet the final subjugation of Greece by the Romans marked not the end of Greece, Grecian influence and Grecian civilization, but the very beginning of the widest and most permanent sphere of influence ever opened to that wonderful people. The western world to-day is at every point different and better because of the fact that Greece existed, and Greece was enabled to exercise this influence by virtue of the fact that the Roman people, by their military and political genius, brought to the civilization of Greece an agency and instrumentality through which it could project itself into the unborn centuries, and through which it could set its stamp upon all generations which followed it.

You will remember how Cicero and Cato, and the men of their type in the last days of the Roman republic, thought that the end of the Roman state had come, that civilization

was to be swallowed up in a despotism or barbarism, and the sun of Roman genius was to be obscured by a never-ending night. No philosopher of that day could have seen that the end of the Roman republic was in reality the beginning of the life of Rome, that from the very days of Julius Cæsar was laid the foundation of that empire of law, of organization, of civilization, which makes Rome an ever-living and ever-present force in every village and hamlet of the civilized world to-day.

How could any man have seen in the dark days in which the Roman Empire was overthrown, and the wild barbarian hordes poured down over southern Europe from the north, when the light and life of letters and science and culture seemed to have been extinguished once for all, how could any man have seen or believed that all this was simply the beginning of a new era which should throw far into the background in material and moral advancement, the most glittering achievements of the human race up to that time? As a result of this circumstance, that in this field prophecy is perhaps impossible, that a shaping of ends to results seems to be difficult, it has happened that in all the great eras of human history many of the best and purest and most upright minds of the time have been enlisted in the support of institutions, and the support of policies, the very destruction of which was necessary to the next stage in world advancement. This is the irony of fate, surely the tragedy of history, that, owing to our ignorance on these subjects, we may be struggling and striving all the time with all our energies to maintain institutions, to preserve policies fundamentally opposed to the truest and best interests of mankind, properly understood.

There is a certain justification in this point of view. It is difficult to give a thoroughly satisfactory answer to it, and yet for our purpose possibly the briefest answer is the best. We are impelled by an inner necessity, if we work at all, to work toward ends, if we strive at all, to strive toward

ideals. We are compelled to select the best we know and to direct our efforts in the wisest way we know to these ends, and certainly, if there is anything in human science, or human knowledge, the fuller and more complete our knowledge becomes, the more accurate and the more satisfactory must our prevision become. We are driven by this inner necessity, before referred to, as moral beings to select an end not merely for ourselves, but for the society of which we are a part, and to put forth our best efforts, based upon our best knowledge to the accomplishment of such an end. The cultivation of these sciences, therefore, which have as their function, investigation into the nature and constitution of human society, must assume an ever-wider and more important place in our society.

But there is a special reason why these subjects must acquire an ever-increasing importance to us in the United States of America and ultimately to all other modern nations. We have adopted a theory of government quite opposed in some respects to that underlying any other great political organization, and based upon what is essentially and fundamentally a very different state of society from that which has characterized any nation in which similar experiments have been tried. We are trying to-day to govern a great political community upon the theory and principle that every man, and perhaps before long every woman, is a political expert, entitled to have an opinion upon all political questions, and upon all social and economic questions which may become political, and in this age of the world, there is scarcely any economic or social question which may not also become political. In doing this we are flying not only in the face of all political history, but also in the face of some of the most fundamental principles of our modern social and industrial organization itself. If there is any one principle which we may say characterizes the modern industrial system more than another, it is that of the division of labor, it is that of setting aside in our body

economic and body industrial, either by force of law or more commonly by force of circumstances, or of will of the individuals—I say it is the setting aside of certain people to perform exclusively certain social functions, resting the welfare of our body economic upon the final harmonious out-working of all these different occupations. We are not content with having a maker of boots, but we divide the business of making the boot into twenty-five or thirty different occupations in each of which certain individuals occupy themselves, one may practically say, for their entire lives. We set aside the business of curing people by the administration of drugs to a peculiar class in the community known as physicians, and we prosecute anybody who undertakes to prescribe without having the recognition of the community which is involved in the right to practice medicine. We set aside certain people for the cultivation of the law and others for the cultivation of theology.

Yet, in strange contrast to all this, we make the business of politics, the business of governing and ruling the state, the business of controlling by the power of the state, the lines along which human society shall develop—we make this, or attempt to make this, the business of everybody. We undertake to say in theory, if not in fact, that one man's opinion upon these subjects is as good as another; that the average man and woman in our society has sufficient knowledge and skill and understanding, or is sufficiently under the dominion of people who have the knowledge, skill and understanding to make it practically a safe thing to entrust the control of this most important of all businesses to the common man. No other country has ever attempted this. No other country attempts this to-day; at least no other country which may be for an instant compared in population, in wealth, in the complexity of its social and industrial problems to the United States. No country in the ancient world ever tried such an experiment.

The Athenian tried the problem of such government on a

small scale, but he was careful to limit the number of people who might take part in this government in a very narrow way, feeling that no man could take part intelligently in governing who did not have an opportunity to prepare himself especially for this sort of work. The whole organization of the state was ultimately made to conform to the condition that the individual Athenian citizen should be put in a position to post himself upon political problems, upon political ideas, and upon political notions, upon political policies in such a way as to be entitled to an independent and intelligent judgment upon the same. To do this, however, it was necessary that the great mass of the people should be abject slaves, to the few citizens, for only in this way could the latter secure the requisite leisure and time to study and understand these grave, political problems. The state went even further, recognizing that no man could attend to the business of earning a living and yet be entitled to have that kind of an opinion which the theory of the Athenian state implied he must have, unless he were a citizen of wealth and resource; the state provided that the citizen should be paid for the performance of his political duties. This was not as it is sometimes depicted, a degeneration in the world of politics. It was an absolutely essential outgrowth of the whole theory and practice of the Athenian government.

The same thing was true of the Roman state. It was a mere handful of people whose material and economic welfare was based upon the plundering of the rest of the world, upon whose shoulders was placed the management of the Roman state. The average Roman could take part in the political management of the Roman Empire because and by virtue of the fact that he had at his disposal practically a sufficient number of slaves to support and take care of him while he gave his attention to politics.

The government of England to-day is in the hands of what may be called governing classes, people whom the entire mass of the community look up to as entitled, par excellence,

by their training, by their financial resources, by their hereditary connections, to the work of directing the political policy of the state.

In Germany, which has been the scene of many struggles between the government on the one hand and the so-called representatives of the people on the other, the average man is still of the opinion that in the case of a dispute between the king and the commons, which to his mind is the case of a dispute between the king and his neighbor Rhoderick Schmidt, whom he may have helped to elect to the House, and whom he knows to be a merchant or a farmer, like unto himself—I say, in case of such a dispute, the average man sides with the king, because he says, “It is his business to govern, and he knows more about this matter than my neighbor, good fellow though he is.” In other words, nearly all other countries are still conducting their governing on the plan that there is a certain class in the community set apart by heredity, by wealth, by social position, to have the controlling and governing voice in shaping the political policy of the society.

We have thrown that theory overboard entirely. We have perhaps gone to the other extreme, and it looks sometimes as if we considered that intelligence, and wealth, and social position were absolute disqualifications for the kind of service we expect of our representatives. At any rate, we have put into our representative bodies in many instances, poverty, ignorance and corruption, villainy and crime itself.

We are proceeding, then, in our government to-day upon the assumption that the average man is not only a patriot, is not only upright and honest, is not only desirous of doing the best he can, but that he is also an expert in the business of governing, or at least, in a position to pass upon the work and proposals of those who are actually doing the governing. How can our government succeed unless we realize this assumption by training each individual for his duty as a citizen?

The subject-matter of these sciences, then, being of such fundamental importance to modern society in general and our own American society in particular, I think there is little doubt that it must assume a new relation toward our education. It must become the subject-matter of instruction in all grades of our educational system. I do not think it is possible for any great department of human learning which is of fundamental importance to the intellectual, moral, political and social training of the mass of the people to remain forever entirely outside of all connection with education. Just as the great field of natural science has been seized and its results exploited, so to speak, by educators for the purpose of the intellectual and moral training of all members in our society, so I believe, the subject-matter of the political and social sciences will be utilized in the same way by our educators, in as extensive and fundamental a way.

I may venture to make one other remark before I pass from this aspect of the subject. Modern pedagogy emphasizes the fundamental necessity of the element of interest on the part of the child who is to be educated in the subject-matter of his instruction before the best results can be accomplished. It is a principle of wide and ever widening application. We cannot hope to work out the best results in a political way through the machinery of the modern free state unless every individual in that community becomes thoroughly and profoundly interested in political questions as such, and I am using that term "political questions" in a large sense, as questions in regard to which a politically organized society may be required to have a positive policy. Now I do not think that it is possible to develop this interest in any large way in the masses of the people, unless the conscious consideration of these questions be taken up as an integral part in all grades of our educational system.

(We can only make the average man an expert in political matters by rousing his permanent and fundamental interest

in political things. Men will give their time and thought and feeling to things in which they become profoundly interested, about which they are deeply concerned. One of the great justifications for the introduction of natural science into all grades of our schools is to be found in the desirability of interesting the average individual in our society, in the world of natural phenomena about him. We ought to bring him to see in the flutter of every leaf upon a tree, in the flight of a passing bird, in the roar of the waves of the seashore, in the growth of the daisy at his feet, in the silent sweep of the stars above his head, a fact of interest and moment to him, the consideration of which will lift him out of himself and up into the higher sphere of intellectual effort and usefulness. I do not believe that he can get this interest, at least not in any large numbers, unless our educational system is directed toward producing this interest in him, toward bringing this sort of thing into relation with the things in which he is already interested, toward giving him an appreciation for these interesting and important natural phenomena.

The same thing is true of the phenomena of our social life. Our laws, our institutions, our economic and social and industrial relations are full of the most interesting phenomena, offering the most valuable material for thought and reflection and study, the consideration of which will lift the individual man and woman out of the narrow round of the routine duties characteristic of the ordinary life up into the larger sphere of communion with the great thoughts that have made our world for us, and with those larger thoughts which have made the universe in which we live. If we can get this interest for these things, we shall find an increasing attention and an increasing devotion to these subjects on the part of every man and woman in our society, but to do that I think these subjects in some form must be brought to the attention of our children as systematically and as regularly as nature itself is brought to them, in the best integration

and by the best presentation which modern educational methods can give.

Thus far, I have dwelt upon the desirability of utilizing the subject-matter of the political and social sciences as means of instruction in our schools from the point of view of their importance to our social welfare. It seems to me that the certainty of a more extensive utilization of this same subject-matter for educational purposes may also be based upon what may be called the pedagogical or educational availability of these sciences as means of instruction from two points of view, what may be called the purely disciplinary or liberal training, and what may be called the informational or special training. I would not wish to be understood as divorcing these two considerations; they are really not two distinct qualities of these subjects, but rather two aspects, two sides of the same thing. I think it is not too much to say that the tendency in modern pedagogy at present is toward recognizing a similar or equal value for the purpose of training and instruction in nearly all branches of human science. The old idea that a liberal education can only be obtained from an extensive study of the classics, that strength of mind and purpose can only be derived from a detailed study of mathematics has disappeared along with many another equally defective notion as to the pedagogical nature of various disciplines and branches of knowledge. I do not know that it would be fair to say to-day that there is a consensus of the best opinion in favor of the view that all subjects of study are of equal educational value, but certainly the tendency of modern philosophic and pedagogical thought has been steadily in the direction of recognizing the truth of this principle in regard to an ever-increasing number of subjects. Human science is becoming so large in its scope, so multiform in its variety, that no one man can hope to master even the rudiments of it in the course of a single lifetime. We must, if these different departments are to be adequately cultivated, look forward to an ever-increasing specialization

in many directions, and it would certainly be an unfortunate outlook for the race, if this increasing specialization were to be accompanied by decreasing discipline of the human mind.

Now the subject-matter of the political and social sciences from whatever point of view it may be considered offers most valuable material to the educationist. No one who has studied political economy, as it is set forth in the great treatises on this subject, can help realizing that the mastery of the line of argument adopted in economics must result in mental development just as surely and as truly as does the mastery of propositions in geometry. No one can take the trouble to understand the celebrated proposition of John Stuart Mill, "that a demand for commodities is not a demand for labor," without feeling that he has made as definite and as distinct an advance in his power to grapple with abstruse questions as would have been occasioned by the mastery of a difficult proposition in Euclid. If the general public, if our clergymen and our newspaper writers, understood this proposition and what it means—a proposition which may almost be called the *pons asinorum* of economic students, we should certainly be spared many of the elaborate and misleading expositions by our newspapers and other so-called leaders of public thought upon the subject of luxurious expenditure. The notion that the expenditure of hundreds of thousands of dollars upon an evening's entertainment is productive expenditure of wealth in a narrow economic sense would not commend itself to anyone who understood the proposition referred to.

John Stuart Mill's theory of international trade; his presentation of the subject of rent, of wages, and many other similar topics as discussed by him and subsequent writers, to say nothing of the refinements of the Austrians, offer an abundance of material for purely disciplinary or formal training; material which, while quite as difficult and obstinate as mathematics or logic, has the great advantage of appealing to some types of mind as of far more interest than mathe-

matics, and is consequently for those particular persons, a better material for formal or disciplinary training than the latter.

The same thing is true of politics in the form of constitutional law. No youth can master the line of reasoning pursued by the great jurists, who have developed a theory of constitutional law based upon our constitutional system, without feeling new virtue come into him, without experiencing a new sense of power, without undergoing a real process of development. Education has been defined by some one to be "a development of the power to draw distinctions." And the power to understand and appreciate the distinctions which our jurists have drawn in the process of elaborating the set of constitutional principles upon which our system of state and federal government rests can only be the result of a serious and valuable discipline.

Aside from this mental discipline, this formal training, which in an eminent degree may be made the accompaniment of such studies, they have the additional value of imparting information relating to the conditions of life under which the modern citizen is placed which cannot be without its effect in interesting the individual in these social, political and industrial problems, which face our modern state. And if, with this formal training, we can secure this interest, we shall have gone a long way toward laying the foundations for an intelligent and useful citizenship. The highest value of these subjects from this point of view, from the point of view of the formal or disciplinary side is perhaps attainable only in our high schools, or in the upper grades of our high schools and of similar institutions. But the youth or maiden of sixteen or seventeen can grapple with and understand some of these problems which I have indicated, in such a way as to derive very great benefit from the pursuit of these subjects.

If the line of thought thus far adopted is a sound one, it is evident that we are face to face with the important problem

of the adjustment of this branch of instruction, of this department of human science in our educational system to the other branches of instruction in the various grades of our educational scheme.

While I cannot go in any great detail into the discussion of this question, there are some salient points so important that they cannot be passed over without at least a cursory notice. The term university in our modern educational system is coming to be applied to the great system of professional schools whose curriculum is based upon an extensive secondary training. It includes a complex of medical, law, divinity and philosophical faculties, comprising under the latter head the so-called advanced or graduate work in pure science which is made the basis of special training for people who are looking forward to an academic career. The university in the true sense is an institution organized for a twofold purpose, that of promoting original investigation and research, that of widening the bounds of human knowledge, and secondly of furnishing a specific professional training based upon the utilization of the highest results of human science for this purpose. Now in this department of our education certainly the political and social sciences must assume a most important part, and with every passing year a more important one. As subjects of study and investigation, they certainly may lay claim to a fair share of the attention of these great foundations, organized for the promotion of human science. There is, moreover, an increasing number of callings in the community, proper preparation for which would certainly include a period of study of these subjects. As our civil service becomes more thoroughly developed in this country, as our standard of efficiency and our ideas of what a civil service system ought to be in a great country like this rises, we may be sure that a professional training looking toward qualifying people for these important and difficult positions will certainly be required. There will come a time when we shall expect an American consul to be a man who knows

something of industry and trade and commerce, who has some knowledge of the inter-relations of the great industrial and commercial machinery of the modern world; when we shall expect the men who are at the head of the important departments in our municipal governments and of the important departments in our national and state governments, to have some expert knowledge of the subject-matter underlying the administration of their offices. When that time comes, the universities must offer special professional instruction looking to these places, based upon the political and social sciences. Certainly the great business of managing and directing the newspaper in the modern world is another department of life in which the presence of experts in these subjects is absolutely essential, if these so-called leaders do not become mere blind leaders of the blind. Surely the men who make politics a business, and draw up our laws for us, and shape our administration, ought to be men with knowledge of these subjects, such as at present they have not. When we do come to require this knowledge, the place to obtain it will be in the university under the leadership of men who make the study of these things and instruction in these things their life work. These departments are, therefore, in connection with our universities, bound to increase and multiply, to be developed and expanded, and made more serviceable for the important function which they are destined to fulfill.

There are not wanting signs that this development has already begun. Our great universities in this country have in the last twenty years begun to make more or less adequate provision for the cultivation of these subjects. In no place is it at present adequate; in no place is it at present more than a mere beginning; in no institution has more than a fraction of the effort and time and money been devoted to this department of human knowledge which is given to natural science.

I may note here, that the question of the suitable or-

ganization of this instruction in the university is a mere matter of detail; and yet it is not by any means an unimportant matter of detail; on the contrary, it may have the most profound effect upon the manner in which our whole educational scheme may develop. Thus, if we organize the political and social sciences in such a way that that they can be set over as a group of social sciences against a group of natural sciences, we may be very certain that they will be more adequately cared for, than if, grouped together under one head, or one science, they be set over against some one division of the natural sciences, like chemistry or physics. It is interesting to note that for some time in this country there was a tendency to recognize this co-ordinate position of the political and social sciences, as over against the natural sciences. And we had the school of political science, organized in Columbia in 1881, for just the kind of advanced work which I have been describing; we had the school of political science organized at Cornell, at Michigan and at Wisconsin. The only place in which the organization was fairly well carried out was at Columbia, and there are not lacking a good many signs at present of a determined attack upon this claim of the political and social sciences to be considered as a group of equal importance and equal dignity with the natural sciences, or with the historical and philological sciences. The question will probably ultimately be decided by the final development and arrangement and organization of the sciences among themselves, and I am free to say that, in my opinion, we have no indications at present which enable us to determine what that final classification of the sciences is to be. There are tendencies at work in political economy which would reduce it to a mathematico-physical science, others which would hold it in its present relation to the moral sciences. There are tendencies which would reduce politics to history, and others which would reduce history to politics. There are claims that economics is the basal science of all social

sciences, etc. The arc of the circle is not as yet sufficiently large to enable us to determine the size of the circle, or indeed whether it is a circle at all, whether it may not be an ellipse, or possibly a parabola or an hyperbola. But for the present, the immediate problem before our universities from this point of view is the relation of this group of subjects to the old historical subjects of university instruction, history, grammar, and philosophy on the one hand, and to the newer subjects grouped under the head of natural sciences on the other. As said above, the question is by no means unimportant. In our modern universities, for example, a certain sum of money is set aside for the purchase of books, which is to be divided up among the departments, and according as this group of subjects constitute one department, or is broken up into several distinct departments, will it receive a small, or, in the aggregate, a large proportion of the total available funds of the institution. The money may be divided more and more among the various departments of the institution which are to be developed and, according as these subjects are grouped as one department, or broken up into a number of departments, will they obtain a small or, in the aggregate, a large proportion of the university's revenue. In the University of Pennsylvania senate, for example, this whole group of subjects, is represented by one man, while the field of natural science, pure and applied, is represented by six or seven men, and the field of the old subjects by as many more; language itself being represented by no less than three. In Columbia University this group of subjects has a position and a dignity which secures for them a much larger share of university attention and university support than in the University of Pennsylvania. In the University of Chicago, out of some fifteen departments organized with head professors, three are assigned to this general field, but it is interesting to note that the number in the field of natural science is steadily increasing, and from all present indications will soon far

outweigh the relative position at first assigned to the social sciences. Those of us who believe that these subjects represent a large and vital portion of human science must exert our efforts upon all occasions, and in all legitimate ways, to secure for them their proper and adequate attention, even in what seems to be the small matter of university organization.

The relation of the political and social sciences to what may be called secondary and college education is no less important than that to the great field of professional or university training. The condition of higher education in the United States is at present in many respects so chaotic that it is difficult to classify sharply and draw the line between what is professional, what is higher, what is secondary and what is elementary. But leaving to one side all such education as may be considered professional, whether it be given in the upper years of a college course, or in the strictly graduate years of university work, let us turn our attention for a moment to what may be called preparatory or secondary work, such as is involved in the high school curriculum, and in the first two years of our most advanced colleges. Calling all that work secondary, therefore, which comes after the elementary school and prior to the professional work of the university, what is the relation of the social and political sciences to this department? The number of people who attend the universities in any country is very small. The average condition or height of education in a country at large depends to a far greater extent upon the number of people who may take this liberal or disciplinary training, which is characteristic of secondary education. And the effort has, of course, been made to extend and invigorate this branch of our education in the United States, but thus far without that marked success which we might hope for. As a result of this we find that a large proportion of persons who are taking the so-called professional education of the university, that in law, medicine, theology, have not taken

this preliminary or secondary work, but have gone directly from the elementary school into the professional school. There are many different causes which have conspired to bring about such a result, but prominent among them certainly is the fact that within a comparatively recent date our colleges and universities threw the whole weight of their authority in favor of the view that there was only one road to the higher education, that through the study of the classics and mathematics, and that no one could claim to be cultured who had not spent years of his life in the pursuit of what we sometimes call the formal sides of culture. A great epoch came in the history of education when the adherents of natural science succeeded in establishing a college curriculum based upon the study of the natural sciences as the old classical curriculum had been based upon the study of the classics and mathematics. When this second road was opened to higher education, it was found that a vastly larger number of the youth of the country desired a liberal or disciplinary culture, than had desired, or had been willing to take it through the medium of the old training. We are face to face to-day with the necessity of opening up still other roads to this same end of a liberal and general culture, to cast up still other highways than those which rest upon the classics and the natural sciences. One road in our view lies certainly through the study of the social sciences. A liberal curriculum may be laid out having for its nucleus the great field of social science, the study of man in his political and economic institutions, which shall be as valuable as either of the other courses. With this is indicated our view as to the relation of the political and social sciences to this problem of secondary education, at least from one point of view. We must work out a secondary curriculum based largely on these subjects.

The University of Pennsylvania made the first movement in this direction, in the establishment of the Wharton School of Finance and Economy, some fifteen years ago. As this

experiment was the first, so it has remained the most successful of the kind up to the present time. It is not destined to remain without imitation and without a profound reflex influence upon the course of college education throughout the country. The president of the University of Chicago has announced that a department with similar ends and aims and with similar methods is to be opened in that institution, as soon as the requisite funds are forthcoming. The plan has received the assent of all the academic authorities, and is simply waiting for the financial support necessary to its inauguration. The University of California, that wonderful institution, one of the most remarkable in the United States, is at work at present upon a similar project which it is believed will be launched within a year or two. I have no doubt myself that the establishment of such a curriculum in every one of our great institutions would be attended by another large increase in the number of those young people in the community who aspire after a higher education, but who are not attracted to the study of either the classics or natural sciences as at present conducted.

The considerations which I have thus far adduced relating to the college, or higher, secondary curriculum, apply with equal force, it seems to me, to the high school or lower secondary curriculum. Everyone is aware, who has followed the history of the public high school in the United States, that it has begun to influence very profoundly the attitude of the colleges upon the subject of popular education. The high school was the first constituent part of our secondary educational system which insisted that training in the natural sciences, being universal in character, ought to enter into all grades of our education; that secondary education must not be devoted to the mere study of grammar and mathematics, while the study of all other branches of knowledge should be deferred until the close of the period which the average child could devote to education. It insisted that natural science must become a constituent part of the

education of the high school, and high school curricula have been worked out based largely upon training in natural science. I do not doubt but that we must work out exactly the same kind of a problem in connection with instruction and training in the social sciences. And there are not wanting signs at numerous places in the country that so-called commercial high schools are to be developed, whose curricula will be based to a very large extent upon the subject-matter of these same political and social sciences.

We now come to the third and last of my propositions, in regard to the relation of our education to the subject-matter of the political and social sciences, and that is that our elementary schools must also make a place in their curricula for the elements of these subjects, which we have been discussing. The period of elementary education is perhaps not altogether as clearly defined as one might wish, but for our purposes, I should take as the period suitable to elementary education the school life up to thirteen or fourteen years of age, the time at which the pupils in our public schools are ready for the high school, the period usually covered by the compulsory school laws, the period which, roughly speaking, has come to be pretty generally accepted as extending from the sixth to the fourteenth year. It is in this period that the question of the relation of these sciences to the general training for citizenship in a republic becomes of special importance. If every man, and possibly, in course of time, every woman, in our society is to be called upon to take an active part in the work of governing, or of passing upon the success with which other people govern, or to have the privilege of passing judgment upon the adoption or rejection of great questions of public policy, it would seem to follow as a matter of course that every citizen ought to have some specific and special training to prepare him for this important duty. Now the number of young men or women who enter our high schools or our colleges, or our universities is very small indeed. If we are to do anything effective in this

direction, we must begin with the boys and girls in those institutions of our school system in which the great majority of them are to be found, and they are the elementary schools.

It is not necessary, I presume, at this time to enter upon an elaborate argument in favor of the view that there is need for a more general, a more fundamental, a more satisfactory training for citizenship in our society than we have at present. We need only to look about us to see ample evidence that our society, political, social, economic and industrial, is suffering from a thousand and one defects which would be remedied if our sense of civic duty were quicker and our knowledge of civic relations more ample and thorough. The tendency to sacrifice the public interest to private interest, the shameless betrayals of trust in our city and state governments, the outrageous exploitation of the weak and unfortunate by the strong and unscrupulous, the combinations of the rich and the poor to plunder the public at every possible point, are such common phenomena of our social and public life in every direction that they have almost ceased to attract public attention. Now the training for citizenship necessary to bring about a new state of things in these respects is, of course, an extremely broad one. It implies that training for citizenship, which comes as a result of all the complex forces of life in a free state, which work together to make or to mar the character of every citizen in it. The training in the family, in the school, on the playground, in the church, in business, in politics, in all the various relations of life, goes to make up that complex resultant, the good, or the bad citizen. The only point I care to urge in this immediate connection is that specific instruction in the nature, constitution and relationships of human society in its political aspects, should be a part, indeed, an important part, a part which has been hitherto overlooked and neglected, in this great and comprehensive process of developing the intelligent and conscientious citizen. A man is a citizen by virtue of the fact that he lives in society, that

he must enter into social relations with a vast number of human beings in immediate or remote proximity to himself, and according as he bears himself in these relations wisely and conscientiously or the opposite, will the outcome of human society be a blessing or a curse. We have to develop, of course, a social consciousness in the child as it grows up through the family, and the school, and prepares itself to emerge into the wider relations of political and industrial society. And if we can only develop the right social ideals in the child, can only develop the right mental and moral social attitude in the youth, we need not be afraid of the result, for society, government, politics bear the same relation to these social ideals, these social standards, these social views, that the fruit or the blossom bears to the bud or the seed. If we can get the right attitude and the adequate knowledge in the green tree, the dry will surely take care of itself.

I am not sure that I have sufficient knowledge of the curriculum, of the difficulties and possibilities of elementary instruction in our schools as they exist, to outline in any satisfactory way exactly what form this specific instruction in the elements of political and social science shall take, in order to secure the highest social results. But I am sure that the burden of working out this problem rests upon the school teachers and the university experts alike, and it can only be solved by their persistent co-operation. Just as it has taken two generations of work on the part of our elementary school teachers, on the one hand, and of our scientists on the other, to prepare the subject-matter of the natural sciences to become a mental pabulum for the children in our elementary schools, so it may possibly be another generation or two before this same problem can be worked out for the political and social sciences; but it is my firm belief that worked out it must be if our social progress is to be as continuous, as rapid, as our social welfare demands.

I do not mean by this, of course, that it is necessary to

introduce into the lower grades of schools systematic subjects of instruction which we shall call politics, and economics, or sociology. But certainly from the very earliest life of the child in the school, to the last day he continues in it, the management of the school itself, in all its relationships, in the classroom, on the playground, etc., ought to be such as to tend steadily toward developing the social instinct and the social attitude which will finally blossom into the fruit of perfect citizenship. In what manner in connection with this unconscious training specific instruction in the constitution of government and society, and in their relation to the citizen and the citizen's relation to them may be introduced, I cannot undertake to say at present. That is a practical problem of school pedagogics. But I am inclined to think that it may be done much earlier than is at present supposed, and I am convinced that every passing year will demonstrate even more imperatively than our past development has already demonstrated, the necessity of beginning this instruction as early as possible.

The practical solution depends on the hearty co-operation of layman, school teacher and university professor, and to this work the interest of modern society summons us all alike.

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THE ADMINISTRATION OF PRUSSIAN RAILROADS.

WITH SPECIAL REFERENCE TO THE ADJUSTMENT OF
RAILWAY RATES.

The necessity of comparative studies in the various natural and social sciences is an accepted fact. It has come to be well understood that the institutions of other countries must be known before we can thoroughly understand those of our own. This is certainly no less true of railroads than of other institutions. While our railroads may often have been culpably managed, it is equally true that at times they have been most indiscreetly dealt with by some of our legislatures, arousing popular prejudices, which are as unjust and injurious to sound enterprise as they are unfounded in fact. A study of a foreign system of railroads should aid us in gaining an accurate knowledge of the nature of railroad enterprises. It should reveal those tendencies which are inherent in the business and those which are distinctly due to administration. It should diminish criticism and make critics more discriminating and judicious. In spite of excellent civil service and greater prudence in legislation, Prussia during the reign of the "railroad king," Dr. Strousberg, developed railroad problems essentially like those which led to the institution of the Interstate Commerce Commission in this country, and which prompted much of the restrictive legislation in our states.

Prussia began with general, our states, with special legislation. Prussian theory placed railroads in one category and ordinary businesses in another. We have until very recently insisted upon their essential similarity. Prussian railroad history establishes the soundness of the first and the fallacy of the second theory. Continental Europe recognized the dangers of *laissez faire* in the railroad business much earlier than America.

An objection which the student of foreign institutions frequently meets, especially if he is inclined to suggest improvements in our own institutions along lines which he has found acceptable in those of other countries, is that the "conditions" are so different there that the experience of those countries is not applicable to our own. No intelligent person would deny that conditions may differ, and that neither theory nor practice can be sound which takes no cognizance of them. It would be folly to neglect the attitude which certain nationalities habitually take toward public affairs generally, especially in matters concerning administration and legislation. Measures which the Germans might placidly accept might make a nest of rebels of Americans within twenty-four hours, and *vice versa*. But let the student place in one column things in which, for instance, Prussia and the United States are essentially alike, and in another those in which they differ, and the result will surprise him. Speaking generally, it is safe to say that the great manufactures and trades manifest universal rather than national characteristics. Economic and social conditions are everywhere becoming more and more alike. A universality, rather than nationality, of conditions is the much safer hypothesis under our present industrial régime. It should no longer be permissible to dismiss valuable experiences of other countries simply because of the alleged differences in conditions.

The railway charters of Europe and America were largely influenced by English experience. The Liverpool-Manchester Railway charter was based upon the earlier English canal legislation, and the general law of Prussia was constructed upon the same model. The charters granted by our state legislatures reveal almost at a glance their common origin in English law. Granted, as many of them were, by legislatures composed of frontiersmen, they show a frontiersman's intolerance of restraint, and many of the restrictive clauses and reservations contained in the early English and Prussian

laws were shaken off as the charters were carried westward. The struggle in Parliament over the Liverpool and Manchester charter centred about the preamble, which set forth in detail the desirability and justification of the enterprise. In Prussia, a memorial, required by law, performs the same functions. In several of our states, bills praying for railroad charters contained a preamble not unlike that in the English bill. With the downfall of the custom of incorporating preambles in our charters, and of deliberating over them, an element of wholesome restraint was lost, especially in the conspicuous absence of general legislation in most of our states, during earlier years. What the continuance of this custom signifies, Prussian history illustrates. Survivals of this custom are found in a Maine law, which requires a "petition" giving information on specified points, and in the New York, Massachusetts and Connecticut acts which require railway companies to satisfy the railway commissions or the courts, of the public "utility" of the railroads for the construction of which charters are desired. Prussia was more systematic at the beginning than we were.

A single test will impress us with the planlessness of our earlier and most of our later railroad charters. Take early charters granted by legislatures of a dozen different states, cut these into slips each of which shall contain a single provision, put the slips containing similar provisions into the same box, shake the boxes, take one slip from each box—although all the way from one to a dozen boxes may be left untouched without affecting the result!—and by rearranging the slips held in the hand, without paying particular attention to their order in detail, a charter will have been constructed which in all essentials is as perfect as many of the earlier charters granted by the legislatures of any one of the northwestern—and no doubt also of other—states. Let any one who doubts this analyze twenty-five or fifty charters.

The prudence with which Prussia began her railroad building and the evils from which such a policy saved her has its

lessons for us to-day. The following sections will show a part of the Prussian system, and that part which to me seems to be the most valuable, at least from an economic point of view.

*The Relation of the Federal Government to Railroads.**

There is only one federal railroad in Prussian territory—a short military road from Berlin to the shooting grounds at Zossen. In the eyes of the Prussian law this is a private road. There are federal railroads in Alsace-Lorraine which were acquired after the Franco-Prussian war. A number of these have been leased by the empire to Prussia. Though the federal roads took the lead in drawing into their council advisory bodies like those treated of in a subsequent section, and while the system of rates in existence on these railroads at the time they were acquired contributed an element toward the formation of the present mixed system of rates or "reform tariff," as it is called, which is in effect on all German roads, the importance of federal railroads can hardly justify further treatment of them in the present essay.

The constitution of the new German Empire, of April 16, 1871, confers upon the federal government extensive powers over all the railroads in the Empire. No German railroad, whether state or private, whether located in Saxony or in Prussia, or any other German state except Bavaria, which secured special concessions in the constitution, can withdraw from the active or potential power reserved in the imperial constitution. These powers may conveniently be grouped under five heads:

1. The right to legislate, which, in a sense, includes all the others.
2. The right to grant concessions.
3. The right to control rates.
4. The right to supervise the building, operation and administration of railroads.
5. The right to employ the railroad for the national defence.

* Portions of this and the two following sections, about one half of their contents, have previously appeared in a paper by the author on "The Adjustment of Railway Rates in Prussia," published by the Wisconsin Academy of Sciences, Arts and Letters.

The federal constitution makes it the duty of the government to cause the German railroads to be managed as a uniform network in the interests of the general traffic. This phrase, "as a uniform network," is an elastic one, and probably would suffice to give the federal government most of the powers it exercises; yet, nine articles of the constitution are either wholly or in part devoted to the subject of railroads, embracing matters pertaining to construction, equipment, operation and repair. These articles declare that the government shall strive to introduce a uniform system of regulations for the operation of all German railroads, and a uniform system of rates; that it shall strive to secure the greatest possible reduction of rates, especially for long hauls of articles supplying the wants of agriculture and of industry, such as coal, coke, wood, ore, stone, salt, pig-iron, fertilizers, etc. In times of distress and famine the emperor, on the recommendation of the railroad committee of the *Bundesrath*, a standing committee required by the federal constitution, may temporarily fix rates for the transportation of the necessaries of life, provided that such a reduction shall not reduce rates below those charged on the respective railroads for the transportation of raw material. These constitutional provisions have been well carried out, for the German railroads *are* operated as a system, and their system of rates and of regulations has developed a high degree of uniformity. The emperor has not yet been called upon to exercise his special prerogative during times of distress because the railroads have voluntarily met the needs of such times. The constitutional provisions have been supplemented by ministerial rescripts, royal orders and statutes, and together they form a complete system of responsibility and of control.

Important Provisions of Prussian Railroad Law.

The most important and the most commendable feature of the Prussian system, when we consider it from the point of

view of the service which it performs and which it can be made to perform for the public, seems to me to be the advisory bodies which will be discussed later. It would be impossible, however, to understand and to appreciate their full significance without a knowledge of the general characteristics of Prussian railroad law.

In the first place, we should note the classification of Prussian railroads, since the duties and privileges of railroads in their relation to the general public and to the government vary with the class to which they belong. Prussian railroads are classified as:

- | | | | | |
|------------------------------|---|------------------------|---|--|
| A. State
or
B. Private | } | Which may
be either | { | 1. Primary (<i>Haupt- or Vollbahnen</i>).
2. Secondary (<i>Neben- or Sekundärbahnen</i>).
3. Local (<i>Kleinbahnen</i>).
4. Private branches (<i>Privatanschlussbahnen</i>).
5. Isolated private roads "not operated by machines." |
|------------------------------|---|------------------------|---|--|

Objectively considered there are no important differences between primary and secondary railroads. Primary roads correspond somewhat to our trunk lines. Both primary and secondary railroads have tracks of normal width, and use similar cars and engines. They differ in equipment, as the secondary railroads have fewer and slower trains, and a smaller percentage of brakes to axles. The two classes are subject to different operating regulations and to different laws in their relation to the post-office, the adoption of rate schedules, etc. The law of November 3, 1838, which is the fundamental railroad law of Prussia, recognizes only primary and secondary roads. Local roads, legally created by the law (*Gesetz über Kleinbahnen und Privatanschlussbahnen*) of July 28, 1892, are not "railroads" within the scope of the law of 1838, and hence not subject to the provisions of the general railway legislation. *Local railroads are placed in the same category with ordinary businesses*, and as such are subject only to ordinary trade regulations. If, however, at any time,

in the opinion of the *Staatsministerium* a local road attains such a degree of importance in the public traffic that it may be regarded as a part of the *general* network of railroads, the state may, on the payment of the full value of such a railroad, and after one year's notice, add it to the state system of railroads. The fourth and fifth classes have no significance for the purposes of this paper. Any recent railroad map will distinguish at least the first two classes.

It has already been stated that the fundamental railroad law of Prussia is the law of November 3, 1838. In all its essentials it is the law of to-day. It grew out of the discussions and negotiations on the first applications for "concessions" or charters, especially out of the careful investigations and statesmanlike considerations preceding the granting of the Magdeburg-Leipzig charter, which in turn was based upon "*Grundbedingungen der Erlaubniss zu öffentlichen Eisenbahnen durch Privatunternehmungen*" (Fundamental conditions for permission to build public railroads by private enterprise). By this law, the state, acting through the minister of public works, has the right, after the expiration of three years from the first of January next following the opening of the road, to supervise, approve or disapprove, (1) all tariff schedules, (2) any proposed change in existing rates, and (3) the establishment of tariff instructions and regulations, special and differential rates. However, the three-year limit is practically void because of the reservations which the state makes in granting concessions.

The granting of concessions has from the first been surrounded by wholesome restrictions. The law aims to fix responsibilities and duties in every instance. It requires the company to furnish proof of the usefulness of the proposed enterprise before its application can receive attention from the authorities. It must furnish reliable statements concerning the capacity of the territory through which the road is to pass to support a railroad, and to give reasons for the choice of a route. It must furnish objective

proof of its ability to meet all the requirements of the concession. This involves not only sufficient capital to build and equip the road, but also the ability to operate it successfully. The proposed railroad must be technically practicable. It must neither frustrate nor make more difficult other and more useful enterprises. It must be permissible from a military point of view, and, above all, it must serve public interests. These preliminary requirements having been complied with, the detailed plan is subjected to an examination by the president of that circuit (*Regierungsbezirk*) in which the central office of the proposed railroad is located. This examination considers primarily private and local interests. All the changes which are brought up for consideration in the course of this examination, whether agreed to or not by the parties interested, are submitted, together with the plan, to the minister of public works. By the latter it is sent to the war office for a special examination with reference to military interests, while mechanics and builders examine the technical details of the plan. The final examination is made by the minister of public works, who pays special attention to the project as a whole in its relation to the entire system of railroads. If he finally approves the project, he recommends it to the king, through whose order the concession is finally granted. The power of the minister of public works does not cease with the grant of the charter, but continues during the period of construction and during the entire life of the road.

The building of state roads, being an attribute of sovereignty, does not require a concession. The building of a private road involves two elements: legal privilege and enterprise, or "undertaking." In the case of state roads only the latter element is involved. In other words, the building of a railroad by the state is purely an act of administration. But before this administrative act is exercised the most rigid and comprehensive investigations are made, which are in general like those indicated above in case of private

railroads. Were we to trace the development of the Prussian system we should find that most of the railroads have been built from social and economic considerations, although political and military considerations have at times been predominant factors. It is absolutely untenable, however, to maintain, as is sometimes done, that Prussia makes her railroads a military and a political machine. Certainly these elements may be discovered in the history of Prussian railroads, but one may unhesitatingly say that if there is any system of railroads in the world which truly and effectively serves all the interests of a nation, that system is the Prussian.

We have already noticed three powers of the minister of public works over railway rates. They apply only to primary roads. Secondary roads may, during the first eight years of their existence, raise or lower rates to meet their own desires, provided they do not go above a certain maximum prescribed by the minister for that period of time; and provided further, that their rates do not conflict with the general principles of rates enforced on state lines. But in no case can these concessions invalidate the general supervisory right of the state. The rates on local roads are provided for in the law of July 28, 1892, as follows:

“The authority upon which the approval of the project devolves is required to make an agreement with the owner as to time-table and rates, and the periods of time in which such agreements shall be subjected to revision, provided that the owner may be allowed to establish his own rates during the first five years, and that thereafter the state shall only fix maximum rates, in doing which due consideration shall be given to the financial interests of the road.”

The law reserves to the state this power, but it does not make it a duty; and it is the policy of the state not to interfere with any arrangements the owner may see fit to make, provided he neither practices unjust discriminations nor does anything else contrary to the interests of the public. The law simply reserves to the state the right to act if circumstances require it.

The publicity of rates is adequately secured in Prussian law. All railroads—state or private, primary, secondary or local—are required to publish their rates under the supervision of the same authorities that fix them. Such publication includes all tariffs—passenger (which are also printed on the tickets), freight, local, through rates, terminals, incidental fees, etc. Not only the bare schedules, but also the rules and regulations governing their application, as well as all changes which have been made in them, must be published. Every advance in rates must be published, together with the old rates, at least six weeks before they can take effect. Reductions likewise require the consent of the proper authorities and must be published. Any deviation from published rates is prohibited, and every person has a right to insist upon a computation of the price of transportation on the basis of rates properly published, and no other. Any violation of these regulations may be punished in the ordinary courts of law. During the last decade there has been a tendency to shift points of dispute more and more from the administrative department over to the regular channels of the civil courts. Paragraph 35 of the law of 1838 names the minister (then the minister of trades and industry) as the authority that shall decide disputes between railroads and shippers arising out of rate-questions. The motive which led to such a provision was that this official was best fitted to give right decisions, but with the growth of the railroad system, and with the later development of the courts of justice, the opinion gained ground that the administrative department should be released from the judicial duties imposed upon it by section 35 of the law of 1838. Legislation of 1876 and 1883 was aimed in that direction, and the law of April 1, 1890, transferred all claims arising out of rate-questions to the ordinary courts of law for redress.

In our discussion of the direct administrative organs it will be necessary to pass over the older organization. On

April 1, 1895, the Prussian railroad administration was completely reorganized. Previous to that time there had existed two distinct official bodies, or "resorts," immediately below the minister of public works. The latter was then, and is now, the executive head of the railroad administration, and the two bodies subordinated to him were known as *Eisenbahndirektionen* and *Eisenbahnbetriebsämter*, respectively, the one having direct charge of the operation of the railroads and the other performing purely administrative functions. Of the *Direktionen* there were eleven, and of the *Betriebsämter* seventy-five. The functions of both of these have now been consolidated in the royal state railroad directories, of which twenty have been created, with their seats at Altona, Berlin, Breslau, Bromberg, Cassel, Cologne, Danzig, Elberfeld, Erfurt, Essen, Frankfurt a. M., Halle a. S., Hannover, Kattowitz, Königsberg, Magdeburg, Münster, Posen, St. Johann-Saarbrücken and Stettin. Each directory is composed of a president, appointed by the king, and the requisite number of associates, two of whom, an *Ober-Regierungsrath* and an *Ober-Baurath*, may act as substitutes of the president under the direction of the minister. Each directory has complete administrative control over all the railroads within its limits, although the subordinate civil administrative organs of the state, such as the *Oberpräsident*, *Regierungspräsident* and *Landrath* have certain powers in the granting of concessions, police regulations, etc. The directory decides all cases arising out of the action of special and of subordinate branches of the administration; and, representing the central administration, it may acquire rights and assume responsibilities in its behalf. The directories may be characterized as general administrative organs, one of whose great functions is the proper co-ordination of all the parts of the railroad system.

Below and subordinated to them are special administrative organs, upon whom falls the duty of local adaptation and supervision. There are six classes of these local

offices, and their names indicate in a general way their functions: operating, machine, traffic, shop, telegraph, and building offices or *Inspektionen*, as they are called. Shortly before the new system went into operation the minister of public works issued special business directions for each class of offices. The contents of each of these ministerial orders may be grouped under three heads: (1) the position of the office in the railroad service; (2) its jurisdiction in matters of business; (3) general provisions. To give a detailed analysis of the functions of the local offices is out of the question here. It should be added, however, that all phases of the service, whether from the point of view of the railroads or of the public, are carefully provided for. Thus one of the foremost duties—" *die vornehmste Aufgabe* "—of the local traffic office is to maintain a "living union" between the railroad administration and the public. For this purpose the chief of the office is in duty bound, by means of numerous personal interviews and observations, to inform himself concerning the needs of the service in his district, to investigate and to remedy complaints and evils without delay, and to take such measures as will secure the most efficient service. It is also one of his duties *to inform the public* concerning the organization and administration of the railroads, so as to avoid idle complaints. This single provision in the rules governing one of the local offices illustrates the spirit of them all.

Private railroads, which before April 1, 1895, had been supervised by a special railroad commission, are now subject to the jurisdiction of the president of a directory and his alternates. This was another step toward greater unity in the system. The directories upon whom the supervision of the private roads devolves are those at Altona, Berlin, Breslau, Cassel, Cologne, Elberfeld, Erfurt, Essen, Frankfurt a. M., Halle, Hannover, Königsberg, Magdeburg, Münster, St. Johann-Saarbrücken and Stettin. As there are twenty directories, and only sixteen supervise private railroads, it is

evident that jurisdictions for private roads are not identical with those of directories. Nor does each directory have an equal number of miles of private or state roads within its jurisdiction. This depends largely upon the geographical distribution of the railroads and upon the intensity of the traffic. Thus, the Berlin directory supervises 587 kilometers of state roads, while Halle has 11,884 kilometers. The other directories lie between these two extremes. It may be added that on April 1, 1895, the private roads represented together only 2200 kilometers (not including *Anschlussbahnen* and 71 kilometers rented to private parties) against 27,060 kilometers* of state roads, of which 10,479 kilometers contained two or more tracks.

All Prussian railroads, then, whether state or private, are subject to the jurisdiction of a carefully graded administrative system—local, intermediate and central—each part of which is connected with every other part in such a manner that, without interfering with the ability to act promptly in cases of emergency, every act not only finds its responsible agent, but the central organ can also make its influence felt in the remotest branch of the system, and at the same time not transcend its responsibility to the public.

Advisory Councils and other Bodies.

Whether we regard the interests of the railroads and of the public as identical or not, there are certainly times when harmony between the two does not exist. This may be due to the failure of each to understand the other, or to some wrongful act which one of them may have committed. Whatever the cause, if such circumstances do arise, any organ which can promptly and prudently remove the friction performs an admirable service in the interests of public traffic. Such an agent is found in Prussia in the advisory councils and other bodies which co-operate with the legally responsible parts of the railroad administration. These

* Increased to 27,911 km. by the close of 1896.

councils are created by law and are required to meet regularly for the purpose of co-operating with the state administration upon all the more important matters pertaining to the railway traffic, especially time-tables and rate-schedules.

The first German advisory council was organized in the federal domain of Alsace-Lorraine. Through an impulse given by the chamber of commerce of the city of Mülhausen, a conference between the representatives of the chambers of commerce of Alsace-Lorraine and the general imperial railroad directory at Strassburg was held at Mülhausen on October 21, 1874. Organization, composition and functions of the council were agreed upon during the first session. Originally its membership was confined to the chambers of commerce of Alsace-Lorraine, but later representatives of the various agricultural and industrial bodies were also admitted. All matters falling within the domain of at least two chambers of commerce could be brought before the council.

The proceedings of this conference made such a favorable impression upon the federal railroad commissioner that he attempted, although without immediate success, to induce the other German railroads, both state and private, to assist in this movement toward a closer union and a better understanding between the commercial and railroad interests, by instituting similar councils. The circular letter of the commissioner, addressed to the railroads on January 11, 1875, is one of the most significant steps in the development of the councils.

“This arrangement,” says the letter “primarily strives to establish an intimate connection between the places entrusted with the administration of the railroads and the trading classes. It will keep the representatives of the railroads better informed as to the changing needs of trade and industry and maintain a continued understanding between them; and, on the other hand, it will impart to commerce, etc., a greater insight into the peculiarities of the railroad business and the legitimate demands of the administration, and consequently, by means of earnest and moderate action, it will react beneficially upon both sides through an exchange of views.”

This statement sounds the keynote of the whole movement. For a time the railroads were not very ready to respond, and the movement made little progress until the policy of the state to purchase private railroads was about to be inaugurated. The Prussian *Landtag* made its approval of the first bill for the nationalization of railroads dependent upon certain *wirtschaftliche Garantien* (economic guarantees) which it demanded of the government. A resolution to this effect was adopted by the *Landtag* in 1879. The minister of trade and industry had already taken active steps during the previous year. In 1880 a bill embodying the motives of the resolution of the *Landtag* was introduced, and after having undergone various changes and modifications was approved and published as the law of June 1, 1882.

Prussia was thus the first, and, up to the present time, is the only, country in which advisory bodies of this nature were placed upon a legal basis. The law is entitled *Gesetz, betreffend die Einsetzung von Bezirkseisenbahnräthe und eines Landeseisenbahnraaths für die Staatsbahnverwaltung*. As the name indicates, it creates a class of advisory boards or councils known as *Bezirkseisenbahnräthe* (circuit councils), and one national council, called *Landeseisenbahnraath*. The national council is the advisory board of the central administration, and the circuit councils of the railroad directories. Since the reorganization of the railroad administration, April 1, 1895, eight circuit councils have been in existence, with their seats in Bromberg, Berlin, Magdeburg, Hannover, Frankfurt a. M., Cologne, Erfurt and Breslau. It will be remembered that there are twenty directories, so that a circuit council serves as an advisory board for more than one directory. The national council is composed of forty members, holding office for three years. Of these, ten are appointed and thirty are elected by the circuit councils from residents of the province or city, representing agriculture, forestry, manufacture and

trade, according to a scheme of representation published in a royal decree. Of the appointed members, three are named by the minister of agriculture, domains and forests; three by the minister of trade and industry; two by the minister of finance; and two by the minister of public works. An equal number of alternates is appointed at the same time. Direct bureaucratic influence is guarded against by the exclusion from appointment of all immediate state officials. The elective members are distributed among provinces, departments and cities, by the royal order to which reference has just been made, and both members and alternates are elected by the circuit councils. The presiding officer and his alternate or substitute are appointed by the king. In addition, the minister of public works is empowered to call in expert testimony whenever he may think it necessary. Such specialists, as well as regular members, receive for their services fifteen marks (about \$3.60) per day and mileage.

The national council meets at least twice annually, and deliberates on such matters as the proposed budget, normal freight and passenger rates, classification of freight, special and differential rates, proposed changes in regulations governing the operation of railroads and allied questions. It is required by law to submit its opinion on any question brought before it by the minister of public works; or, on the other hand, it may recommend to the minister anything which it considers conducive to the utility and effectiveness of the railroad service. Its proceedings are regularly submitted to the *Landtag*, where they are considered in connection with the budget, thus establishing "an organic connection" between the national council and the parliament. In this way the proceedings are made accessible to every one, and an opportunity is given to approve or disapprove what the council does, through parliamentary representatives. The system is one of reciprocal questioning and answering on part of the minister of public works, the national council and the parliament.

The circuit councils are equally important and interesting. Since January 1, 1895, nine of these have been in existence. Their membership, which varies considerably with the different councils, was fixed by the minister of public works in December, 1894. Any subsequent modifications which may have been made have no bearing on what we are considering here. At that time the council at Magdeburg had only twenty-four while that at Cologne had seventy-five members. The nature of their composition can best be illustrated by presenting an analysis of the membership of one such council. The council of Hannover, comprising the railroad directories of Hannover and Münster-Westphalen, seems to be a fair type. In that council we find one representative from each of the chambers of commerce of Bielefeld, Geestemünde, Hannover, Harburg, Hildesheim, Lüneburg, Minden, Münster, Osnabrück, Ostfriesland and Papenburg, Verden and Wesel; one representative from each of the following corporations or societies: Society of German Foundries in Bielefeld, German Iron and Steel Industrials in Ruhrort, Craftmen's Union of the Province of Hannover, Branch Union of German Millers in Hannover, Union of German Linen Industrialists in Bielefeld, Society for Beet Sugar Industry in Berlin, Society for the Promotion of Common Industrial Interests in the Rhine Country and Westphalen, in Düsseldorf, and the Society of German Distillers in Berlin; four representatives from the Royal Agricultural Society in Celle; three from the Provincial Agricultural Society for Westphalen in Münster; one from the German Dairy Society in Schladen and Hamburg, the Society of Foresters of the Hartz, the North German Foresters in Hannover, the Union of Forest Owners of Middle Germany in Birnstein, and from the Society for the Promotion of Moor Culture in the German Empire; and, lastly, one from the Society of German Sea-fishers in Berlin. This one illustration is probably sufficient to show the thoroughly representative character of the circuit

councils. If a circuit comprises railroads covering territory of other German states, the chambers of commerce, industrial and agricultural societies of such territory may also be represented in the council. The minister of public works has power to admit other members, and frequently does so when the nature of the questions upon which the council deliberates makes it desirable. Thus, at a meeting in which the rates on coal and coke—to be noted hereafter—from the Rhenish mining districts to the seashore were to be considered there were present an *Ober-präsident* accompanied by an assessor, a deputy of a *Regierungspräsident*, a *Landrath* (these three are civil administrative officers presiding over a province, circuit, and department, respectively), a representative of the Upper-Mine-Office at Bonn and at Dortmund, of the Royal Mine Directory at Saarbrücken, of the Royal Railroad Directory at Hannover, of the Dortmund & Gronau & Enscheder Railroad Company (private), in addition to the regular representatives and voting members.

The circuit council, as has been indicated above, stands in a relation to the railroad directory similar to that of the national council to the minister. The law makes it mandatory upon the directory to consult the circuit council on all important matters concerning the railroads in that circuit. This applies especially to time-tables and rate-schedules. On the other hand, the council has the right, which it freely exercises, of making recommendations to the directory. In case of emergency the directory may act according to its own judgment, independently of the council, but it is required to report all such cases to the standing committee of the council and to the council itself. This provision supplies the elastic element which enables the railroads to meet momentary wants. The standing committee of the council is an important body. It meets regularly some time before the full council holds its sessions, and its proceedings form the basis of the deliberations in the council. The committee receives petitions, memorials and

other communications. The bearers of these are invited to appear before the committee and to advocate their cause. Questions are asked and answered on both sides, and after all the arguments have been presented the committee votes upon the petition or request, usually in the form of a resolution adopted by majority vote recommending the council to accept or reject the demands made in the petitions. The action of the committee is reported, on each question, by a member designated for that purpose, to the full council at its next session. While the decision of the committee is usually accepted by the council, it in no way binds that body. Before the council meets each member has an opportunity to examine the arguments presented before the committee and the facts upon which its decisions are based. If the advocates of the petitions before the council present new evidence, or if the recommendations of the committee are shown to be unsound, the council simply reverses the decision of the committee. Of the nature of these petitions I shall speak later.

These advisory councils have spread into Bavaria, Saxony, Württemberg, Hesse, Oldenburg, Mecklenburg-Schwerin, Austria, Italy, Russia, Denmark, Roumania, and, in a much modified form, into France. An examination of the councils in these countries shows the same principle underlying them all: *the representation of all the different economic interests in the conduct of the railroads*. In composition and organization they are much alike. They owe their existence, however, not, as in Prussia, to law, but simply to administrative orders. In Switzerland there are no real advisory councils, but the public is represented by the regular civil, commercial and industrial organizations. These submit memorials to the Department of Railroads and Post. The wishes of the public as to the time and frequency of trains are presented regularly twice each year by the cantonal governments. The railroad department then calls a joint session of the representatives of the cantons and of the

railroad companies, where these questions are considered. In passing, we may notice, among civilized nations, the absence of England and of the United States from this list.

There are still other bodies which, although not created by law and not confined in their activity to Prussia, have long exerted a powerful influence throughout the empire. Foremost among these stands the *Generalkonferenz* (General Conference). Under its guidance the modern German system of rates, called *Reformtarif*, has been systematically developed. The general conference meets annually, and discusses matters relating to tariffs, fees, operating regulations, etc. Thus, at a recent meeting the conference disposed of no less than fifty-three different items, relating mostly to the classification of goods and the adjustment of rates, all of which, as in case of the circuit councils, had been previously considered in subordinate bodies whose deliberations lie at the basis of the proceedings in the general conference. It is composed of members representing all the German railroads, and votes are distributed according to the number of miles of road the members each represent, and the total number of votes increasing, of course, with the growth of the German system. At the meeting referred to, the total number of votes was 322, of which 51 were not represented. Of these 51, 28 belonged to roads having 1, 10 to those having 2, and 1 to those having 3 votes. The Prussian state railroads had 139 votes, the Bavarian state railroads 28, those of Saxony 16, the state roads of Alsace-Lorraine 11, the state roads of Baden 10, and so on down; the remainder representing the smaller state and private railroads. These figures show the predominating influence of Prussia in the conference.

Bodies subordinate to the general conference have already been alluded to. These are the *Tarif-Kommission* and the *Ausschuss der Verkehrsinteressenten* (Tariff Commission and Committee of Those Interested in Transportation). The tariff commission is a standing committee whose members:

represent Prussian state roads, two Swiss roads, and one of the railroads of Mecklenburg. It meets three times a year, and occupies itself with petitions and other communications from shippers. The committee of shippers (*Verkehrsinteressenten*) is composed of members representing agriculture, trade and industry; and some of the matters brought before it are previously discussed by a sub-committee. Both of these bodies occupy themselves almost exclusively with freight rates and matters immediately connected with them. Out of twenty-three items brought before them during a two days' session in 1893, twenty-two were deliberated upon in joint session, although each body voted separately. The discussions in these sessions are so thorough that the recommendations made are, in the great majority of cases, approved by the general conference. Those conclusions of the commission which are adopted in the form of a declaratory statement become binding upon members unless protests are made. Subjects discussed in the conference and commission may, and frequently are, brought before the councils.

Among the various railway traffic, and rate-unions which might be mentioned, none have exerted an influence on rates at all comparable to that which has been exercised by the Society of German Railroad Administrations. Founded as a Prussian society in 1846, it became in quick succession a national and an international organization, embracing the railroads of Germany, Austria, Hungary, Roumania, Luxemburg, Holland, Belgium, Bosnia and Russian-Poland. Both state and private railroads are eligible to membership. A series of eight standing committees covers the special branches of the service, and if extraordinary matters arise they are referred to special committees. Questions upon which the society is to act must be published at least three months preceding the meeting. The proceedings have long been published in an official paper, and, through custom, exert a powerful influence. The attainment of uniformity, in construction and other matters, has been one of its great

aims. In Europe the necessity for international uniformity is much greater than with us, and in the domain of freight traffic this has been well attained by means of an international treaty, signed at Berne on October 14, 1890, by diplomatic agents from Belgium, France, Germany, Italy, Luxemburg, Holland, Austria, Hungary, Russia and Switzerland. It is officially known as the "*Convention internationale sur le transport de marchandises par chemins de fer.*"

The history of this international agreement dates back to 1874, the same year that Mülhausen inaugurated the movement which led to the institution of advisory councils. In that year two Swiss citizens, residents of Bâle, directed to the governments of the surrounding states inquiries concerning their willingness to enter into an international freight treaty. Drafts of such a treaty were worked out in both Germany and Switzerland, and discussed in a congress at Berne in 1878. This congress submitted the draft of a treaty to the different governments for examination. Many objections were raised and improvements made. Further conferences, dealing also with questions of technical uniformity, were held in 1882 and 1886, and on October 14, 1890, the draft approved by the third congress, was formally drawn up as a treaty and approved. The original treaty has been modified and supplemented in various ways, partly by agreements among all these countries, and partly by agreements among several of them. Every three years, or sooner, if one-fourth of the treaty-making states demand it, a general congress must be called together, to consider improvements in the agreement.

As its name indicates, the Bernese treaty applies only to international freight traffic. Excepting articles, the transportation of which is regularly monopolized by the post-offices of the contracting states, the treaty governs all shipments of goods from or through one of the states to another. It provides for uniform through-bills of lading, prescribes routes for international traffic, fixes liability in cases of delay

and loss, prohibits special contracts, rebates, and reductions, except when publicly announced and available to all, and prescribes certain custom-house regulations. Not the least important feature of the treaty is the creation of a central bureau, organized and supervised by the Swiss *Bundesrath*, with its seat in Berne. The duties of the bureau are five:

1. To receive communications from any of the contracting states, and to transmit them to the rest of them.
2. To compile and publish information of importance for international traffic, for which purpose it may issue a journal.
3. To act as a board of arbitration on the application of the countries concerned.
4. To perform the business preliminaries connected with proposed changes in the agreement, and, under certain circumstances, to suggest the meeting of a new conference.
5. To facilitate transactions among the railroads, especially to look after those which have been derelict in financial matters. After notice has been given by the bureau, the state to which the railroad belongs or by whose citizens it is owned can either become responsible for the debts of the road or permit the expulsion of the road from international traffic.

The expenses of the bureau are met by contributions of the contracting states in proportion to mileage.

The original agreement provided that any of the states might withdraw at the end of three years, on giving one year's notice. No such notice has ever been given. Any violation of the treaty can be punished in the courts, and a judgment having been rendered in one country, the courts of the others are bound to assist in its execution, unless the decision conflicts with their own laws. But so far as the question of fact is concerned there is no appeal, and a German court is bound to accept the findings of a court in France. Germany, Austria, Hungary, Russia, Switzerland and, to a less extent, France have embodied provisions of the international code in their internal code, thus leading to unification beyond the limits of international traffic. To what extent the Bernese treaty may influence other phases of the national and international law of the states of central

Europe cannot well be foreseen. That states differing widely in forms of government, geographical position and commercial interests have voluntarily made themselves amenable to a common code of law under these circumstances, again impresses one with the great power and many-sided influence of railroads, and the healthy development of closer international relations. The code is binding for a domain embracing nearly three millions of square miles and two hundred and sixty millions of people. It ranks in importance with the international postal, telegraph and copyright unions.

Proceedings of Advisory Councils.

The leading features of the Prussian railroad administration relating to rates have now been presented. It remains to illustrate by means of a few sidelights from the proceedings how a part of the machinery acts. To convey a somewhat detailed view of the workings of the administrative organs directly concerned with the operation of the railroads would unduly extend this paper; besides, it would be a little technical and not essential from the economic point of view. So we shall content ourselves with a brief account of some of the deliberations of the advisory and other bodies directly occupied with questions about rates. We shall save time by first obtaining a general idea of the German system of rates, for which purpose a rough summary of the German Reform Tariff is here given.

German Tariff Scheme.

1. Fast freight by the piece.
2. Fast freight by the carload.
3. Piece goods.
4. General carload class A1, in shipments of at least 5000 kg.
5. General carload class B, in shipments of at least 10,000 kg.
6. Special tariff A2, in shipments of at least 5000 kg.
7. Special tariff I, II and III, in shipments of at least 10,000 kg.

The rates and what pertains to them are officially published in volumes not unlike our monthly magazines. This tariff

scheme was first introduced in 1877, and through the influence mainly of the general conference it has become gradually more unified. It is obvious that the price of transportation of a good becomes less as it falls into a class farther down the list. The general carload classes include goods of higher value not enumerated in any of the special tariffs, while the special tariffs I, II and III embrace less valuable goods—their value falling by degrees—so that, generally speaking,

Special tariff I includes manufactured goods.

Special tariff II includes intermediate products.

Special tariff III includes raw materials and bulky goods of small value, such as certain waste products of gas factories, tanneries, paper factories, slaughter-houses, etc.

Special tariff A₂ is for goods belonging to special tariffs I and II in consignments below 10,000 and above 5000 kg. Goods belonging to special tariff III, but weighing less than 10,000 though at least 5000 kg., are transported at the rates of special tariff II. Then there are special rules and rates for such things as explosives, precious metals, vehicles, timber, fish, bees, meat, carrier doves, etc. Questions as to classification and the transference of goods from one class to another often arise. Here is a typical case:

The chamber of commerce of Lennep, a Rhenish city, petitioned the general conference to transfer manufactured horseshoes—"raw hoof-irons" the Germans say, but which will here be designated simply as horseshoes—from special tariff I to special tariff II. A prominent business firm brought the question before one of the railroad directories, and from there it was carried before the minister of public works. The minister consulted the permanent tariff commission and the committee of shippers, and finally the question was brought before the advisory councils.

The petitioners asserted that the manufacture of horseshoes was a new industry, which, after many costly experiments, had only recently gained a firm foothold; that the

trade had been gradually growing, especially with the East, and that consignments had been sent to Russia, Italy, Austria and other countries. In domestic trade, the use of these horseshoes had been promoted by military authorities and street car companies, because it lessened cost and relieved the blacksmith of much purely mechanical work. It enabled him to do better work more cheaply and with greater uniformity. The charge that it hindered the education of skillful blacksmiths was untrue.

Extensive statistical tables were introduced to show that the life of the industry depended upon the desired change in rates. Horseshoes were subjected to the same rates as fine iron and steel goods, while they properly belonged to intermediate products in special tariff II. Many of the factories were unfavorably located, and it was one of the highest duties of the state to promote industrial activity in regions which lie away from the great channels of trade, if it could be done without too great a sacrifice on part of the public. The desired concessions on part of the railroads would do this. It was unjust for the representatives of the Saxon state railroads to assert, as they had done in the tariff commission, that the change in the classification of horseshoes would benefit the Rhenish industry only. Particularistic designs should not be suspected in a movement which was deeply rooted in economic necessities. The representatives of the Bavarian railroads had considered fiscal reasons only, but these alone could not be decisive. It would not be business-like for the state, in order to gain a temporary advantage, to sacrifice the very source of this gain. The railroads would fare worse with high rates and a stagnant industry than with lower rates and a prosperous industry, and it was safe to assert that the desired change would, through an increased output, ultimately yield a greater income to the railroads. The established system of rates would not be prejudiced; besides, when the question of system is balanced against that of the welfare of an industry

the latter should prevail. The nationalization of railroads was undertaken, not for fiscal but for economic reasons.

These were the main features of the petition. The petition, together with the records of previous deliberations on the question, was brought before the standing committee of one of the circuit councils by which the arguments were reviewed and new evidence introduced. Can these horseshoes be classed with rod-iron? Are they an intermediate product? Could not ploughshares and other articles demand a like change? What is the relation of the proposed change to the competition of Swedish iron? Is it true that the manufacture of horseshoes injures the craft of blacksmiths? Will it lead to a wider use of horseshoes and consequently to an improvement of agriculture? Such were the questions which the committee considered, and in response to which evidence of individuals and of societies was presented and subjected to the most rigid examination by specialists of various classes. From the committee the question went, as all questions considered by the committee do, before the full council, by which the report of the committee was reviewed and the horseshoe problem finally disposed of.

In a similar manner both the committee and council deliberated upon a petition of the Agricultural Society of Rhenish Prussia to place street sweepings in the special class with fertilizers, and to reduce rates for shorter distances, because sweepings are used only within from ten to twenty kilometers of the cities. The sweepings, it was asserted, had considerable value for agriculture, but that the difficulty of disposing of them had led some cities, notably Hamburg, to destroy them, thus depriving agriculture of a valuable agent. The composition and value of sweepings were examined and compared with other fertilizers now available, and the probable effect on the use of these considered. At the same session of the committee the change in time-tables for the summer period was regularly considered.

Twenty-eight items were presented by the fourteen different members, involving the time and frequency of passenger trains. All propositions which received a majority vote in the committee were brought, of course, before the full council.

In speaking of the composition of circuit councils reference was made to the question of rates on coal and coke. One of the railroad directories brought before the standing committee of the circuit council a question first submitted in a petition of the chamber of commerce of Bielefeld and subsequently endorsed, either in part or entire, by other organizations. The petition sought a temporary suspension of rates applicable to coke and coal sent from the Rhenish mining districts to the German seashore and to foreign countries. The suspension was to remain in effect until the prices in the coal market should return to a normal level.

In the consideration of this question the railroad directory asked the committee and council to deliver an opinion on each of the following points: (1.) Is the level of prices of coke and coal in the Rhenish-Westphalian district an abnormal one? (2.) How must the prices of coke and coal be constituted in order that their level may be characterized as normal? (3.) Should a permanent or temporary suspension of existing freight rates on coke and coal be recommended in order to effect a reduction of prices within the country? (4.) What markets and what rates come into consideration in case of the temporary or permanent suspension of the rates in question? Shall the rates to foreign countries or also the rates to the seashore be changed? (5.) What will be the probable effect of the proposed suspension of rates with reference to the sale and the price of coal and coke within the country?

In both the committee and in the council this problem was thoroughly dissected. Naturally there were differences. Abnormal prices were thought to be prices which include an element of profit out of proportion to the other constituents

of price. On the one hand, a profit of 40 per cent was shown to exist, which, however, the experts present at once proved to be confined to two specially favored mines. In computations to ascertain the average selling price of coal there was a difference of several marks, which called forth the most rigid examination of the statistics and other evidence upon which the figures were based. The railroad authorities showed that in five years the outlay for coal for locomotives had risen from $4\frac{1}{2}$ to 7 per cent of their total expenses, while coal was still rising, and the coal men showed that their costs of production had risen because of advances in wages and expenses connected with insurance. It was said that the present low rates for the transportation of coal had been introduced at a time when the coal industry had lain prostrate, and that now all other industries were suffering from the high price of coal, and that this advance in freight rates on coal and coke would check exportation and force down prices at home. A decrease in exportation was deplored by representatives of the German marine. In conclusion, among both the advocates and the opponents of the change the opinion was expressed that there was reason for rejoicing in the thorough airing which this question had received; that it would lead to a better understanding of actual conditions, and that the coal industry would hereafter be more inclined to give due consideration to the condition of other German industries.

We come now to the consideration of a question which, perhaps even more forcibly than what has just been related, illustrates the comprehensiveness and fair-mindedness with which the railroad authorities investigate the problems which affect wide economic interests. It is a petition, submitted by the minister of public works to the national council for an expression of opinion. The printed evidence sent to the council alone covers about 500 folio pages. The problem submitted by the minister to the national council was this: Giving due consideration to the financial condition

and the financial interests of the state, is it conducive to the general economic interests of the country (1) to introduce special reduced rates for all kinds of manures and fertilizers, irrespective of their nature, and, if so, what rates? (2) to introduce special reductions, and to what extent, for the transportation of (*a*) potassium salts—without discrimination or only “raw salts”—and phosphate; and (*b*) lime, in pieces or powdered, used for fertilization?

This was submitted in October, 1893. During March of that year the *Herrenhaus* had passed a resolution requesting the government to introduce reduced special rates for fertilizers, a number of which were specified in the resolution. As stated in support of the resolution, the necessity for it lay in a cheapening of elementary utilities in order to maintain and promote agriculture, and to increase the receipts of the railroad from the traffic with the interior. The same resolution had previously been adopted by the budget commission of the *Landtag*.

In response to this resolution the minister of public works sought information from the minister of agriculture, domains and forests, and all the different agricultural experiment stations as to the occurrence and production of natural and artificial manures in different parts of the country, their price and value in use, and the nature of their application. Various commissions reported on the prices at which different fertilizers could be profitably used on different soils. The agricultural authorities showed where and to what extent these soils existed, and elaborate statistics of the railroads and manufacturers told how much had actually been consumed. In this lay the vital issue—the capacity of the land to absorb profitably artificial manures, and, the ability of the farmer to secure them. The national council said that a simple expression of its appreciation of the great economic significance of the use of both natural and artificial manures was not sufficient, but that an exact and conscientious examination of the effect of

existing rates on the widest and most effective use of these was necessary. The deliberations of the committee of shippers, the tariff commission, the general conference, and the evidence submitted through the minister of public works were all thoroughly sifted by the standing committee of the national council before the case went before the full council for its final verdict.

Marbles, slates and pencils even have been the object of the most serious deliberations of bodies so large and so dignified as the general conference and the national council. A memorial was addressed to one of the railroad directories by the marbles, slate and pencil industry of Thüringen, praying for a detariffization of these articles. The memorial gives a detailed account of the manufacture of marbles, slates and pencils in Thüringen, and points out the places where it meets competition. It gives the cost of production, output, markets, prices and the rates of transportation. The conditions of the laboring population are described, and the probable effect of a change in rates, on their welfare, is analyzed. One may be pardoned for turning aside to state that the laborers there engaged in the manufacture of slates, although exposed to the danger of completely undermining their health, receive often no more than twelve cents for a day's work of eighteen hours. American boys would smile to know that gray marbles sell there for 26.3 cents per thousand, while the polished ones cost about 29.7 cents. The railroad directory to which the memorial was sent addressed a letter of inquiry to the manufacturer of slates and pencils in Westphalia, whose business would be affected by the competition of Thüringen, calling for information on various points relating to this industry. This reply, together with the memorial and supplementary material, was submitted, through the minister of public works, to the national council.

One can not read these documents without being impressed with the sincere desire of the railroad authorities to do justice to all competitors, and at the same time to

make such changes as will better the conditions of people like these laborers in Thüringen. Whether or not the benefits arising from a change in rates would really accrue to these people was most carefully considered. The material submitted for consideration in deciding this question, as in case of the preceding questions, furnished evidence on every point which was raised. The moderation with which the petitions are drafted, the high plane upon which the debates are carried on, the thorough conscientious and judicial-mindedness with which the arguments are balanced in reaching a decision, all manifest a tone not unlike that of the decisions of our best courts of justice.

Summary and Remarks.

Prussia began with a general law. In this respect her history is the direct opposite of that of our states. Treating this general law as a nucleus, legislation, royal and ministerial orders and rescripts, and custom have developed two distinct groups of railway administrative organs, each representing distinct sets of interests, yet both working co-operatively. On the one hand, we have a group of organs which represents railroad interests in particular and which take the railroad point of view. The minister of public works, the railroad directories, the general conference and tariff commission and the Society of German Railroads fall into this group, although the two latter stand in a measure on the border line, and of them are none confined exclusively to railroad interests. Legal responsibility is fixed in the first two. On the other hand, we have the national and circuit councils with their standing committees and the committee of shippers. These primarily take the social and economic point of view. They are not legally responsible for the conduct of the railroads, but act as advisory bodies. They represent all the different interests of the nation, and through them every citizen has not only an opportunity but a right to make his wants known.

The marble and slate industry of Thuringen is relatively insignificant, yet of vital importance to the inhabitants of that section of the country. We have seen how complete an examination the petition of these people received at the hands of the highest authorities of the land. A fair and prompt hearing can be denied to no man, rich or poor. The railroads are made real servants. All the administrative, legal and advisory bodies are organically connected with one another and with the parliament. The lines may be drawn taut from above as well as from below. The elaborate system of local offices makes the system democratic, and the cabinet office and the directories give it the necessary centralization. The system presents that unity which a great business requires, on the one hand; and, on the other, that ramification and elasticity which the diverse and manifold interests of a great nation need for their growth and expansion.

In the formation of the councils the elective and the appointive elements are so well proportioned that it is impossible to "pack" any one of them. In this respect, each body is a check on the other. It is easy to reproach the system with "bureaucracy," but to give adequate support to such a stigma would be an impossible task. We need only recall the analysis of the membership of one of the councils. Farmers, dairymen, fishermen, foresters, traders, miners, manufacturers—the long array of human professions have here their representatives. One representative may shape his views according to some particular philosophy of the state. Another will at once restore the balance by presenting the opposite. One member may make extreme statements about some branch of trade or industry. Another will furnish exact information for its refutation. I doubt whether we can find anywhere in the world deliberative or administrative bodies in which the tone and the many-sidedness of the proceedings, the amount and variety of special knowledge displayed, and the logic of the debates present more points of excellence than in these councils and other bodies.

If from the point of view of the railroads nothing should come of these proceedings—a most violent assumption—the information brought together would alone make them invaluable. No investigating committee of congress or legislature ever had such an array of talent in every field at its disposal and under its control as is found in one of these councils or commissions.

It is not my purpose here to present new schemes or to suggest ways and means by which existing institutions of our own country might be modified to perform similar functions. But let me ask whether, if our coal and iron industry, or fruit and cattle raising, or any other industry were to receive an examination like that given to the Rhenish coal and coke industry, many things might not be different from what they now are. Imagine a well-organized assembly whose members could speak for the railroads, for wheat and cattle, for fruit and steel, for forests and for mines, and is it not probable that the effects anticipated in the circular letter of 1875 would make themselves felt also in the United States? Both our railroads and the public have repeatedly gone to extremes because neither understood the other. A system like the Prussian, reveals the railroads to the public and the public to the railroads. It tends to remove blind prejudice and violent measures on both sides. By reflecting accurately the existing conditions, these conferences lead to tolerance, forbearance and mutual concessions. The conclusions reached often have as salutary an effect on industrial situations as suspended judgments of our courts on defendants. It would be difficult to find in Prussia to-day, among the representatives of any class or interest, objections to the entire railroad system which are not relatively insignificant. Both the public and the railroads have gained more and more as the system has developed.

It will doubtless have been noticed that in the discussion of the council proceedings the decisions and their effect were

not stated. It was my purpose simply to show the nature of the councils, and either a negative or an affirmative vote would throw no additional light on the problem. Without a full presentation of local details it could mean little to state that the council voted to place sweepings into the special tariff with fertilizers.

SOURCES.

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 2. *Archiv für Eisenbahnwesen.*
 3. *Reichs-Gesetzblatt.*
 4. *Gesetz-Sammlung.*
 5. *Ministerialblatt der Inneren Verwaltung.*
- } Contain rescripts, orders and other official matter, as well as contributions on railway subjects.
6. Eger, "*Handbuch des Preussischen Eisenbahnrechts*," first two volumes, Breslau, 1889 and 1894.
 7. Gleim, "*Preussisches Eisenbahnrecht*," first volume, Berlin, 1891.
 8. Gleim, "*Kleinbahnen*," Berlin, 1895.
 9. Hoeper, "*Preussische Eisenbahn-Finanz-Gesetzgebung*," three volumes, Berlin, 1879.
 10. Schroetter, "*Preussisches Eisenbahnrecht*," Berlin, 1883.
 11. Riegel, "*Verkehrsgeschichte der deutschen Eisenbahnen*," Elberfeld, 1889.
 12. Hansemann, "*Kritik des Preussischen Eisenbahngesetzes*," Leipzig, 1841.
 13. Indicator, "*Die Entwicklung unserer Staatsbahnen*," Berlin, 1891.
 14. Rank, "*Das Eisenbahntarifwesen in seiner Beziehung zur Volkswirtschaft und Verwaltung*," Wien, 1895.
 15. v. Mayer, "*Geschichte und Geographie der deutschen Eisenbahnen*," two volumes, Berlin, 1891.
 16. Official publications on rates.
 17. Proceedings of advisory bodies.
 18. Nitschmann, "*Eisenbahnbetrieb*." (Lectures.)
 19. Gleim, "*Preussisches Eisenbahnrecht*." (Lectures.)
 20. v. der Leyen, "*Nationalökonomie der Eisenbahnen, insbesondere Eisenbahntarifwesen*." (Lectures.)
 21. Röhl, "*Encyclopädie des gesammten Eisenbahnwesens*," seven volumes, Wien, 1892.

B. H. MEYER.

University of Wisconsin.

PERSONAL NOTES.

AMERICA.

Bowdoin College.—Dr. Henry Crosby Emery* has been advanced to the position of Professor of Political Economy and Sociology at Bowdoin College. During the past year he published:

"*Speculation on the Stock and Produce Exchanges of the United States.*" Columbia University Studies in History, Economics and Public Law, Vol. VII, No. 2.

University of Chicago.—Dr. R. C. H. Catterall† has been advanced to the position of Instructor in History at the University of Chicago. He has written:

"*The Issues of the Second Bank of the United States.*" Journal of Political Economy, September, 1897.

Dr. Charles Richmond Henderson‡ has been advanced to the position of Professor of Sociology in the Divinity School of the University of Chicago. His recent publications include the following:

"*Methods of Helping the Poor.*" Proceedings of Illinois County Commissioners, 1896. (Also published in Charities Review, February, 1896.)

"*Crime and its Social Treatment.*" Chicago Daily Tribune, June 14, 1896.

"*The German Inner Mission.*" American Journal of Sociology, March, May, July, 1896.

"*Preventive Measures, Educational and Social.*" Proceedings of National Prison Association, 1896.

"*Ethics of School Management.*" Proceedings of Northern Illinois Teachers' Association, April, 1896. (Published also in the University Record.)

"*Voluntary Organization in Social Movements.*" Proceedings of American Economic Association, April, 1896.

"*Christianity and Childhood.*" Biblical World, December, 1896.

"*Development of Doctrine in the Epistles*" (containing a summary of primitive social teachings of Christianity). Pp. 116. American Baptist Publication Society, 1896.

* See ANNALS, Vol. viii, p. 350, September, 1896.

† See ANNALS, Vol. vii, p. 92, January, 1896.

‡ See ANNALS, Vol. v, p. 274, September, 1894.

"*Principles and Methods of Charity Organization.*" Proceedings of National Conference of Charities and Correction, 1896.

"*Civil Service Reform in Public Institutions.*" Ibid.

"*The Principle of Charity Organization in Towns and Villages.*" Proceedings of Illinois State Conference of Charities and Correction, 1896.

"*Co-operation in Philanthropy.*" The Open Church, 1897.

"*The Social Spirit in America.*" Pp. 350. Meadville, Pa., 1897.

"*Comparative View of American Poor Laws.*" National Conference of Charities and Correction, 1897. (Also published in Charities Review, August, 1897.)

Dr. Frederic W. Sanders has been appointed Lecturer in Statistics at the University of Chicago. Dr. Sanders was born January 17, 1864, in Westchester County, N. Y. His early education was obtained in the public schools of New York City. In 1883 he graduated from the College of the City of New York with the degree of A. B. During the next four years he was engaged in teaching, in editorial work, in the employ of the government, and in studying law. From 1887 to 1891, he practiced law in Rochester, N. Y., and in eastern Tennessee. He then entered Harvard University and engaged in post-graduate work for one year, receiving the degree of A. M., in 1892. The succeeding year he was minister of the Unitarian Church, in Asheville, N. C. He then entered the University of Chicago for post-graduate study, remaining there until 1895, and receiving that year the degree of Ph.D. During these two years he was Assistant Editor of *Unity* and *New Unity*. He was appointed University Fellow in Sociology at Columbia University, remaining there during the year 1895-96. The past year he has lectured for the University Extension Department of the University of Chicago. Dr. Sanders has written the following:

"*Social and Ethical Teaching of Mohammed.*" Quarterly Calendar, University of Chicago, November, 1894.

"*Outline Criticism of Herbert Spencer's Philosophy of the Knowable.*" The Unitarian, February, 1895.

"*Outline Criticism of Herbert Spencer's Philosophy of the Unknowable.*" Ibid., March, 1895. Republished in the Indian Messenger (Calcutta), Vol. XII, No. 13.

"*Islam: Past and Present.*" Arena, June, 1895.

"*A Brief Critical Examination of Herbert Spencer's System of Ethics, with Particular Reference to its Consistency.*" The Unitarian, August, 1895.

"*The Natural Basis of Interest.*" Journal of Political Economy, September, 1896.

Dr. Francis W. Shepardson* has been advanced to the position of Assistant Professor of History at the University of Chicago. He has recently contributed several papers to the *Dial*, and to the *Denison Quarterly* on special subjects in American history.

Mr. Edwin E. Sparks † has been advanced to the position of Assistant Professor of History in the University Extension Department of the University of Chicago. Professor Sparks has written the following:

"*Panoramic Historical Writing.*" *Dial*, December 1, 1896.

"*The Preservation of Historical Material in the Middle West.*" *Ibid.*, April 16, 1897.

"*Certain Methods of Teaching United States History.*" Teachers' Institute, May, 1897.

Dr. James Westfall Thompson has been advanced to the position of Associate in History at the University of Chicago. Dr. Thompson was born June 3, 1869, at Pella, Iowa. His early education was obtained in the public schools of New York City, and in private academies at Somerville and New Brunswick, N. J. In 1888 he entered Rutgers College and graduated in 1892 with the degree of A. B. From 1892 to 1895 he was engaged in post-graduate work at the University of Chicago, holding a Fellowship in History during 1893-95, receiving the degree of Ph.D. in 1895. Since then he has been Assistant in History at Chicago University. Dr. Thompson is a member of the American Historical Association, and the Political Science Association of the Central and Western States. He has contributed a number of articles upon historical literature to the *Dial*.

Cornell College.—Dr. George H. Alden has been appointed Professor of History at Cornell College, Mt. Vernon, Iowa. Professor Alden was born August 30, 1866, at Tunbridge, Vermont. His early education was obtained in the public schools at Waseca and Albert Lea, Minnesota. He entered Carleton College, Northfield, Minnesota, in 1885, and graduated in 1891 with the degree of B. S. The following year he was Superintendent of Public Schools at Tracy, Minnesota. The succeeding four years he pursued post-graduate study as follows: Harvard University, 1892-93; University of Chicago, 1893-95; University of Wisconsin, 1895-96. He received the degree of A. B. from Harvard in 1893, and the degree of Ph.D. from the University of Wisconsin in 1896. ‡ During the past year he has been Acting Assistant Professor of History at the University of Illinois.

* See ANNALS, Vol. v, p. 275, September, 1894.

† See ANNALS, Vol. viii, p. 352, September, 1896.

‡ See ANNALS, Vol. viii, p. 366, September, 1896.

Professor Alden has written:

"*New Governments West of the Alleghenies before 1780.*" Bulletin of the University of Wisconsin, Vol. II, No. 1. Pp. 74. 1897.

Harvard.—Dr. Albert Bushnell Hart has been advanced to the position of Professor of History at Harvard University. Dr. Hart was born on July 1, 1854, at Clarksville, Pa. His early education was obtained in the schools of his native county and the public schools of Cleveland, Ohio. He entered Harvard in 1876, and graduated in 1880 with the degree of A. B. He then pursued graduate studies at Harvard University 1880–81; University of Berlin 1881; University of Freiburg 1882–83; and the School of Political Science at Paris 1882–83. Dr. Hart received the degree of Ph.D. from the University of Freiburg in 1883, and the same year was appointed Instructor in American History at Harvard University. In 1886 he was appointed Instructor in History at Harvard, and in 1887 Assistant Professor of History.

Professor Hart is a member of the following societies: Massachusetts Historical Society, Military Historical Society of Massachusetts, Harvard Historical Society, American Historical Association, Wisconsin State Historical Society, American Statistical Association, Harvard Teachers' Association, National Geographic Society, Shepard Historical Society of Cambridge, and the Massachusetts Society for Promoting Good Citizenship.

Professor Hart is an editor of the *Harvard Graduates' Magazine*, and of the *American Historical Review*. He has contributed articles at various times to the *Atlantic Monthly*, *Forum*, *Review of Reviews*, *New Review*, *Chatauquan*, *New England Magazine*, *Bond Record*, *Political Science Quarterly*, *Quarterly Journal of Economics*, *Magazine of American History*, *Educational Review*, *Academy* (Syracuse), *School Review*, *Nation*, *Outlook*, *Congregationalist*, and various Boston and Cambridge newspapers. He has also contributed to the Proceedings of the Massachusetts Historical Society, American Historical Association, National Educational Association, and the New England Association of Colleges and Preparatory Schools. Besides these he has written:

"*The Coercive Powers of the Government of the United States.*" A thesis presented to the University of Freiburg for the degree of Doctor of Philosophy. August, 1883. Part III. "*Coercive Provisions of the Constitution.*" Pp. 22. Eisenach, Germany, 1885.

"*Topical Outline of the Course in History of the North American Colonies and their Growth into a Federal Union (1492–1789), given at Harvard College in the Academic year 1885–1886.*" Pp. 165. Cambridge.

"*Introduction to the Study of Federal Government.*" Harvard University Publications. Harvard Historical Monographs, No. 2. Pp. x, 200. Boston, 1891.

"*Epoch Maps, Illustrating American History.*" Pp. iv, 14, with colored maps. New York, 1891.

"*Formation of the Union, 1750-1829.*" With five maps. "*Epochs of American History,*" Vol. II. Pp. xx, 278. New York and London, 1892.

"*Practical Essays on American Government.*" Pp. viii, 311. New York, 1893.

"*Revised Suggestions on the Study of the History and Government of the United States.*" Pp. 164. Cambridge.

"*Studies in American Education.*" Pp. viii, 150. New York and London, 1895.

"*Methods of Teaching History.*" Boston, 1885. (With A. D. White and others.)

"*Guide to the Study of American History.*" Pp. xvi, 471. Boston and London, 1896. (With Edward Channing.)

"*Harvard Debating. Subjects and Suggestions for Courses in Oral Discussion.*" Pp. 55. Cambridge, 1896. (With George Pierce Baker.)

"*American History Leaflets.*" 35 numbers. New York, 1892-97. (Edited with Edward Channing.)

"*American History Told by Contemporaries.*" Vol. I. "*Era of Colonization, 1492-1689.*" Pp. xviii, 606. New York and London, 1897.

Haverford College.—Mr. Don Carlos Barrett has been appointed Instructor in Political Science and History at Haverford College, Pa. Mr. Barrett was born April 22, 1868, at Spring Valley, Ohio. He attended the public schools of his native place, and in 1885 entered Earlham College, Richmond, Ind. He graduated from that institution in 1889 with the degree of Ph.B. From 1889 to 1892 Mr. Barrett was engaged in teaching in the schools of Fountain City and Muncie, Ind. The next year he was Instructor in History and Economics at Earlham College. He then engaged in post-graduate study at the University of Chicago (1893-94), and at Harvard University (1895-96). He received the degree of A. M. from Earlham College in 1893, and the same degree from Harvard in 1896. During the past year he has been Assistant in Economics at Harvard University.

Iowa State University.—Dr. Benjamin F. Shambaugh* has been advanced to the position of Professor of Government Adminis-

* See ANNALS, Vol. viii, p. 516, November, 1896.

tration at the Iowa State University. His recent publications include the following:

"*An Important Manuscript.*" Iowa Historical Record, January, 1897.

"*Documentary Material Relating to the History of Iowa.*" Vol. II, containing material on Local Government. State University of Iowa. (In press.)

Kansas Agricultural College.—Dr. Edward W. Bemis* has been appointed Professor of Economic Science at the State Agricultural College, Manhattan, Kans. Since leaving the University of Chicago in 1895, Dr. Bemis has engaged in varied lines of work in economics. He has given courses of lectures at the University of Wisconsin, and Syracuse University, and has appeared by invitation before the committees of the Legislature of New York and the Legislature of Pennsylvania, who were engaged in investigating the gas question. He has contributed many articles on municipal problems to the *New York Journal*, the *Chicago Record*, and the *Bibliotheca Sacra*, of which he was an associate editor, and he made the special studies for the United States Department of Labor and the Illinois Bureau of Labor Statistics referred to below. His publications of the last five years are:

"*Recent Results of Municipal Gas Making in the United States.*" Review of Reviews, February, 1893

"*The Discontent of the Farmer.*" Journal of Political Economy, March, 1893.

"*The Silver Situation in Colorado.*" Review of Reviews, September, 1893.

"*Local Government in the South and Southwest.*" Johns Hopkins University Studies, in History of Political Science, Vol. XI, Nos. 11 and 12.

"*Co-operative Life Insurance.*" Johnson's Encyclopedia, new edition.

"*The Homestead Strike.*" Journal of Political Economy, June, 1894.

"*Relation of Labor Organizations to the American Boy, and to Trade Instruction.*" ANNALS OF THE AMERICAN ACADEMY, September, 1894.

"*The Chicago Strike of 1894.*" Revue d' Economie politique, July, 1895.

"*The Restriction of Immigration.*" Bibliotheca Sacra, July, 1896.

"*Co-operative Distribution.*" Bulletin of the United States Department of Labor, September, 1896.

* See ANNALS, Vol. iii, p. 90, July, 1892.

"*The Question of Free Coinage of Silver.*" Bibliotheca Sacra, October, 1896.

"*Municipal Lighting.*" New York Independent, May 6, 1897.

"*Chicago Gas and Chicago Street Railway Report of the Illinois Bureau of Labor Statistics for 1896.*" (In press.)

Mr. Frank Parsons has been appointed Professor of History and Political Science at the State Agricultural College, Manhattan, Kans. Professor Parsons was born November 14, 1854, at Mount Holly, N. J. His early education was obtained at a private school in Mount Holly. In 1869 he entered Cornell University, and graduated in 1873 with the degree of B. C. E. He pursued the profession of civil engineering for a year, and then engaged in teaching in Southbridge, Mass. He studied law and was admitted to the bar in Boston in 1881. Since 1887 Professor Parsons has been engaged in the work of editing and revising legal text-books for Little, Brown & Co., and since 1891 he has been a Lecturer in the Boston University School of Law, which lectureship he will continue to hold. He is also one of the lecturers for the National Direct Legislation League. Besides numerous magazine articles on Proportional Representation, the Referendum, etc., Professor Parsons has written the following:

"*The World's Best Books.*" Boston, 1893.

"*Our Country's Need.*" Boston, 1894.

"*The Telegraph Monopoly.*" The Arena.

"*The People's Lamps.*" Ibid.

"*Philosophy of Mutualism.*" Boston.

"*Government and the Law of Equal Freedom.*"

"*The Drift of Our Country.*" The New Time.

"*Public Ownership of Monopolies.*"

Mr. Thomas E. Will,* Professor of Economics and Philosophy at the Kansas State Agricultural College, has been elected President of that institution. Professor Will's recent publications include the following:

"*Abolition of War,*" with data and bibliography. Arena, December, 1894.

"*Bibliography of Charity.*" Ibid., January, 1895.

"*Bibliography of Gambling.*" Ibid., February, 1895.

"*How to Organize the Union for Practical Progress.*" Ibid., March, 1895.

"*The Problem of the City.*" American Magazine of Civics, September, 1895.

"*The End of Education.*" The Open Court, October 17, 1895.

* See ANNALS, Vol. v, p. 416, November, 1894.

"*Bibliography of the Literature of the Land Question.*" August, 1896.

"*The Social Movement in England.*" New York Christian Advocate, 1896.

"*Modern Wealth-Distribution and Some of its Corollaries.*" Students' Herald, February 10, 1897.

"*College Conservatism,*" Industrialist, August 16, 1897.

"*The Warfare of Science,*" Ibid., September 2, 1897.

"*The Owners of the United States,*" Ibid., September 13, 1897.

"*Public Ownership and Socialism,*" Ibid., October 11, 1897.

Leland Stanford Junior University.—Dr. Clyde A. Duniway* has been appointed Assistant Professor of History at the Leland Stanford Junior University. He has written:

"*Restrictions upon the Freedom of the Press in Massachusetts.*"

"*Graduate Courses, 1897-1898.* (Editor-in-Chief.)

Dr. Edward Dana Durand has been appointed Assistant Professor of Economics at Stanford University, with leave of absence until September, 1898. Dr. Durand was born October 18, 1871, at Romeo, Macomb County, Mich. He attended the public schools of his native place and of Huron, So. Dak., and the preparatory school of Yankton College. In 1889 he entered Oberlin College, graduating with the degree of A. B. in 1893. From 1893 to 1895 he pursued post-graduate studies at Cornell University and received the degree of Ph. D. from that institution in 1896.† During the past two years Dr. Durand has been Legislative Librarian in the New York State Library, having charge of the statutes and documents of New York and other states and countries. He will continue this work during the present year. Dr. Durand has written the following:

"*Voting Machines.*" Johnson's "Cyclopedia," 1894.

"*Political and Municipal Legislation in 1895.*" ANNALS, May, 1896.

"*Comparative Summary and Index of Legislation by States in 1895.*" Pp. 310. New York State Library, Legislative Bulletin, No. 6, 1896.

"*Political and Municipal Legislation in 1896.*" ANNALS, March, 1897.

"*Comparative Summary and Index of Legislation by States in 1896.*" Pp. 110. New York State Library, Legislative Bulletin, No. 7, 1897.

"*Comparative State Finance Statistics, 1890 and 1895.*" Pp. 52. New York State Library, Legislative Bulletin, No. 8, 1897.

* See ANNALS, Vol. viii, p. 354, September, 1896.

† See ANNALS, Vol. viii, p. 365, September, 1896.

"*The City Chest of New Amsterdam.*" Pp. 30. New York, Half Moon Series, 1897.

"*The Finances of New York City.*" New York. (In press.)

University of Michigan.—Dr. Frank H. Dixon* has been advanced to the position of Acting Assistant Professor of Political Economy and Finance at the University of Michigan, and is to fill the chair of Professor Adams during the absence of the latter abroad. Dr. Dixon has written:

"*The Teaching of Economics in Secondary Schools.*" The National Herbart Society. Third Year-book.

Northwestern University.—Dr. James A. James† has been appointed Professor of the History of Continental Europe at the Northwestern University. His recent publications include the following:

"*The Beginnings of University Extension in Iowa.*" Extension Magazine, 1895.

"*College Education.*" Report of the Iowa Teachers' Association, 1895.

University of Pennsylvania.—Mr. Edward Potts Cheyney has been advanced to the position of Professor of European History at the University of Pennsylvania. Professor Cheyney was born January 17, 1861, at Wallingford, Pa. His early education was obtained in the public and private schools of Philadelphia. In 1879 he entered the University of Pennsylvania, and graduated with the degree of A. B. in 1883. The following year he engaged in study in the Wharton School of Finance and Economy of that institution, and in 1884 received the degree, then conferred but since abolished, of B. F. (Bachelor of Finance). In 1886 he received the degree of A. M. from the same university. He was appointed Instructor in History at the University of Pennsylvania in 1884, and in 1890 was advanced to the position of Assistant Professor of History, which chair he has filled until the present time. Professor Cheyney is a member of the Pennsylvania Historical Society and of the American Historical Association. His publications include the following:

"*Early American Land Tenures.*" Pp. 26. Wharton School Annals of Political Science. University of Pennsylvania, 1884.

"*Anti-Rent Agitation in the State of New York.*" Pp. 65. Political Economy and Public Law Series, Vol. I, No. 2. University of Pennsylvania, 1886.

"*Recent Decisions of Courts in Conspiracy and Boycott Cases.*" Political Science Quarterly, 1889.

* See ANNALS, Vol. viii, p. 359, September, 1896.

† See ANNALS, Vol. iv, p. 647, January, 1894.

"*Conditions of Labor in Early Pennsylvania.*" The Manufacturer, February-April, 1891.

"*Recent Tendencies in Reform of Land Tenure.*" ANNALS, November, 1891.

"*Historical Introduction*" to Report of State Bureau of Statistics of Pennsylvania on Commerce and Shipbuilding on the Delaware, 1891. Pp. 80.

"*Der Farmerbund in den Vereinigten Staaten.*" Archiv für Gesetzgebung und Statistik, March 1892.

"*A Third Revolution.*" ANNALS, May, 1892.

"*Die Achtstundenbewegung in den Vereinigten Staaten.*" Archiv für Gesetzgebung und Statistik, December, 1892.

"*Social Changes in England in the Sixteenth Century.*" 1895.

As editor of the University of Pennsylvania "Series of Translations and Reprints from the Original Sources of European History," Professor Cheyney has prepared the following numbers:

"*Early Reformation Period in England;*"

"*England in the Time of Wycliffe;*"

"*English Constitutional Documents;*"

"*Manorial Documents;*"

"*English Towns and Gilds;*"

"*Documents Illustrative of Feudalism.*"

Ursinus College.—Dr. James Lynn Barnard has been appointed Professor of History and Political Science at Ursinus College. Dr. Barnard was born on July 9, 1867, at Milford, N. Y. He attended the high school at Cooperstown, N. Y., and in 1888 entered Syracuse University, from which institution he graduated in 1892 with the degree of B. S. The next year he was Instructor in Mathematics and Political Economy at Epworth Seminary, Epworth, Iowa. He then entered the University of Pennsylvania for post-graduate study, and received the degree of Ph.D. from that institution in 1897. While studying at the University of Pennsylvania he was Instructor in Mathematics and History at the Koehler Institute, Philadelphia. Professor Barnard is a member of the American Academy of Political and Social Science.

West Virginia University.—Hon. Richard Ellsworth Fast has been appointed Instructor in History and Political Science at the West Virginia University. Mr. Fast was born on October 31, 1858, at White Day, Monongalia County, West Virginia. After teaching in the public schools for a number of years, Mr. Fast entered the West Virginia University in 1880 and remained there until 1882, when he became deputy clerk at the Monongalia County Court. Two years later he was chosen clerk of the Circuit Court. While holding this position

he re-entered West Virginia University, and in 1886 graduated with the degree of LL. B. After the expiration of his term in 1890 he engaged in the practice of law. Mr. Fast has been five times elected Mayor of Morgantown, and in 1896 was elected to the State Senate. He was chairman of the joint committee appointed to revise the Constitution of West Virginia, and the report of this work, which he has prepared, is now on press. Mr. Fast has recently taken a special course in history at Harvard University. He is a member of the American Academy of Political and Social Science.

Dr. Jerome H. Raymond * has been elected President of the West Virginia University. In addition to his administrative duties he will be Professor of Sociology and will give a number of courses.

University of Wisconsin.—Dr. Balthasar Henry Meyer has been appointed Instructor in Sociology and University Extension Lecturer in Economics at the University of Wisconsin. Dr. Meyer was born on May 28, 1866, at Cedarburg, Wisconsin. He attended the local schools and the State Normal School at Oshkosh. He entered the University of Wisconsin, graduating in 1894 with the degree of B. L. He studied at the University of Berlin during the following year, and then returned to the University of Wisconsin to engage in post-graduate work. He has held a Fellowship in Economics at that institution during the past two years, and received the degree of Ph.D. † at the last commencement. Dr. Meyer is a member of the Wisconsin Academy of Sciences, Arts and Letters. He has written the following:

"*The Adjustment of Railroad Rates in Prussia.*" Transactions of the Wisconsin Academy of Sciences, Arts and Letters. XI.

"*The Administration of Prussian Railroads with Special Reference to the Adjustment of Rates.*" ANNALS, Current number.

"*The History of Railway Legislation in Wisconsin.*" Wisconsin Historical Collections. (In press.)

IN ADDITION to those previously mentioned, the following students received the degree of Doctor of Philosophy for work in political and social science, and allied subjects during the past year:

University of Michigan.—Ira D. Travis, A. M. Thesis: *The Clayton-Bulwer Treaty.*

New York University.—Julius W. Knapp, A. M. Thesis: *Indiscriminate Charity.*

IN ADDITION to those previously mentioned, the following appointments to post-graduate scholarships have been made for the year 1897-98:

* See ANNALS, Vol. vi, p. 298, September, 1895.

† See ANNALS, Vol. x, p. 259, September, 1897.

University of Wisconsin.—*Graduate Scholarships in History*, Carl Lotus Becker, B. L., and Louise Phelps Kellogg, B. L.

AUSTRIA.

Cracow.—Dr. Alexander Wladimir von Czerkawski has recently been appointed Extraordinary Professor of Political Economy at the University of Cracow. Born at Bursztyn in Galicia, February 17, 1867, he was educated at the gymnasium at Rzeszow, and entered the University of Lemberg in 1885. The following year he went to Cracow where he remained until he secured in 1890 the degree of Doctor Juris. Thereupon he pursued further special studies in Berlin, 1890-91, and Paris, 1892. In October, 1893, he became Docent at the University of Cracow, and has also been since 1894 vice-director of the Municipal Statistical Bureau of Cracow. Professor von Czerkawski is a member of the Juridical Philosophical Commission of the Polish Academy of Sciences in Cracow. His publications have been :

"*Statystyka parcelacyi w Austryi*," *Ekonomista Polski*. Lemberg, 1891.

"*Ruch społeczny a socjalizm*." Ibid., 1892.

"*Teorya czystego dochodu z ziemi*." Pp. 229. Lemberg, 1893.

"*Zadania państwa na polu gospodarstwa społecznego*." *Ateneum*, Warsaw, 1896.

"*Wielkie gospodarstwa, ich istota i znaczenie*," *Proceedings of Cracow Academy of Sciences*, 1896.

"*Ruch ludności miasta Krakowa 1887-1894*. Cracow, 1896.

"*De la nature et de l'influence des grandes exploitations*," Cracow, 1896.

"*Recherches sur l'état de la population en Pologne à la fin du XVI siècle*." Cracow, 1896.

"*Krakau*," in "*Öestereichisches Städtebuch*." Vol. VII.

GERMANY.

Berlin.—Dr. Ernst von Halle has recently become Private-docent for Political Economy at the University of Berlin. He was born at Hamburg, January 17, 1868, and attended the Johanneum gymnasium of that city. He pursued university studies at Munich, 1887-88; Bonn, 1888-89; Berlin, 1889-90 and Leipzig, 1890-91. At the last named university he obtained the degree of Ph.D. in 1891. In the following year he occupied a post in the Deutsche Bank in Berlin and attended the economic seminaries of the university. In the fall and winter of the year 1892 he was occupied with studies in the archives of Belgian, Dutch and Hanseatic cities. From March, 1893, until April,

1896, Dr. von Halle traveled in the United States, Canada, the West Indies and in South America. Dr. von Halle is a member of the historical societies of Hamburg and Lubeck, of the *Verein für Socialpolitik* and of the American Economic Association. He was the translator of the paper by Professor Gustav Schmoller entitled "The Idea of Justice and Political Economy," which appeared in the ANNALS for March, 1894. Dr. von Halle has written:

"*Die Hamburger Giro Bank und ihr Ausgang.*" Pp. 43. Berlin, 1891.

"*Die Fleischversorgung Berlins.*" Schmoller's Jahrbuch, 1892.

"*Arbeiter-Kolonien und Natural-Verpflegungs Stationen in Deutschland.*" Handel's Museum, Vienna, 1892.

"*Der freie Handelsmakler in Bremen.*" Schmoller's Jahrbuch, 1893.

"*Die Cholera in Hamburg in ihren Ursachen und Wirkungen.*" Pp. 92. Hamburg, 1893.

"*Briefe von der Columbischen Weltausstellung.*" Hamburgischer Correspondenten, 1893.

"*Industrielle Unternehmer und Unternehmungs Verbände.*" Pp. 230. Leipzig, 1894.

"*Die wirthschaftliche Krisis des Jahres 1893 in den Vereinigten Staaten.*" Schmoller's Jahrbuch, 1894.

"*Trusts or Industrial Combinations and Coalitions.*" Pp. xvi and 350. New York and London, 1895.

"*Reisebriefe aus West Indien und Venezuela.*" Pp. 128. Hamburg, 1896.

"*Das Interesse Deutschlands, an der Amerikanischen Präsidenten Wahl des Jahres 1896.*" Schmoller's Jahrbuch, 1896.

"*Zur Geschichte des Maklerwesens in Hamburg.*" Pp. 44. Hamburg, 1897.

"*Baumwoll-Production und Pflanzungswirthschaft in den Nord-Amerikanischen Südstaaten.*" Vol. I, "*Die Sklavenzeit.*" Pp. xxiv and 396. Leipzig, 1897.

Freiburg.—Dr. Heinrich Johann Sieveking has recently become Privat-docent for Political Economy at the University of Freiburg. He was born August 20, 1871, at Hamburg, and received his early education at the Matthias Candius Gymnasium at Wandsbek. He pursued legal studies at the Universities of Leipzig, Tübingen and Strassburg, and philosophical studies at Göttingen, Leipzig, Berlin and Munich. He obtained the degree of Doctor Juris in 1893, and that of Ph.D. in 1895. Dr. Sieveking has published:

"*Das Seedarlehen des Allerthums.*" Leipzig, 1893.

"*Die rheinischen Gemeinden Erpel und Unkel und ihre Entwicklung im 14ten und 15ten Jahrhundert.*" Leipzig, 1895.

"*Hamburgische Colonisationspläne 1840-42.*" Preussische Jahrbücher, October, 1896.

"*Die Gennenser Seidenindustrie im 15ten und 16ten Jahrhundert, ein Beitrag zur Geschichte des Verlagssystems.*" Schmoller's Jahrbuch, 1897.

Göttingen.—Dr. Richard Ehrenberg has been appointed Extraordinary Professor of Political Economy at the University of Göttingen. He was born February 5, 1857, at Wolfenbüttel. His early education was received at Wolfenbüttel and Brunswick. In 1873 he went into business, but began university studies in 1884. He frequented until 1887 the Universities of Munich, Göttingen and Tübingen, receiving the degree of Doctor of the Political Sciences at the last named. After travels in England, Belgium, France and Italy, he became in 1889 Secretary of the Royal "*Commerz Kollegium,*" at Altona, a post which he has held until the present year. In addition to numerous articles in Conrads "*Handwörterbuch,*" Professor Ehrenberg has written:

"*Die Fondspekulation und die Gesetzgebung.*" Pp. 232, 1883.

"*Ein Hamburgischer Waaren und Wechsel Preiscourant aus dem 16ten Jahrhundert.*" Hänsische Geschichtsblätter, 1883.

"*Zur Geschichte der Hamburger Handlung im 16ten Jahrhundert.*" Zeitschrift des Vereins für Hamburger Geschichte, 1884.

"*Hamburger Handel und Handelspolitik im 16ten Jahrhundert,*" Hamburgs Vergangenheit, edited by Karl Koppman, 1885.

"*Makler Hosteleirs und Börse in Brügge vom 13ten bis zum 16ten Jahrhundert.*" Zeitschrift für Handelsrecht, 1885.

"*Wie wurde Hamburg gross? Streifzüge in der hamburger Handelsgeschichte.*" I. "*Die Anfänge des hamburger Freihafens.*" Pp. 109. 1888.

"*Hamburg und Antwerpen seit 300 Jahren.*" Pp. 49. 1889.

"*Die alte Nürnberger Börse.*" Mittheilungen des Vereins für Geschichte der Stadt Nürnberg. 1889.

"*Die ersten tiroler Gulden.*" Bayerische Numismatische Zeitschrift, 1889.

"*Ein Finanzund social politischer Projekt aus dem 16ten Jahrhundert.*" Zeitschrift für die gessamte Staatswissenschaften. 1890.

"*Jahresberichte des Königlichen Commerz Kollegiums in Altona,*" 1889-1896.

"*Altona unter Schauenburgischen Herrschaft,*" 1891-93. Six numbers of about 70 pp. each.

"*Hamburger Handel und Schiffahrt vor 200 Jahren,*" Pp. 34, 1891.

"*Das Königliche Commerz Kollegium in Altona.*" Pp. 67. Printed as MS. 1892.

"*Hans Kleberg, der gute Deutsche sein Leben und Charakter,*" Verein für Geschichte der Stadt Nürnberg, 1893.

"*Francis Estrup, Rechtspflege im 16ten Jahrhundert.*" Zeitschrift des Vereins für Hamburger Geschichte, 1894.

"*Bürger und Blamé.*" Pp. 61. 1894.

"*Altona's topographischer Entwicklung.*" Pp. 38, with maps, etc. 1894.

"*Aus der Hamburgers Handelsgeschichte.*" Zeitschrift des Vereins für Hamburger Geschichte, 1895.

"*Altona's Fischereihafen und Fischmarkt.*" 1896.

"*Hamburg und England im Zeitalter der Königin Elisabeth.*" Pp. 362. 1896.

"*Das Zeitalter der Fugger,*" Bd. I. "*Die Geldmärkte des 16ten Jahrhundert.*" Pp. 420. 1896. Bd. II. "*Die Weltbörsen und Finanzkrisen des 16ten Jahrhundert.*" Pp. 367. 1897.

"*Der Handel seine wirthschaftliche Bedeutung, seine nationalen Pflichten und sein Verhältniss zum Staat.*" Pp. 98. 1897.

"*Handelshochschulen I. Gutachen von Käuferten Industriellen und anderen Sachverständigen.*" Printed as MS. Pp. 275. 1897.

"*Handelshochschulen II. Denkschrift über die Handelshochschule.*" Pp. 56. 1897.

"*Der Ausstand der Hamburger Hafentarbeiter, 1896-97.*" Conrad's Jahrbücher, 1897.

Halle.—Dr. Wilhelm Kähler has become Privat-docent for Political Economy at the University of Halle. He was born in that city February 5, 1871, and attended the Latin School of the celebrated Francke educational foundations. He pursued legal and economic studies at the universities of Halle and Berlin. At the former he secured in 1893 the degree of Doctor Juris, and in 1896 that of Doctor of Philosophy. From 1892 to 1896 he was *Referendar* in the service of the court. Dr. Kähler has written:

"*Die Stellvertretung im Gewerbebetrieb, eine gewerberrechtliche Untersuchung*" Pp. 53. Leipzig, 1894.

"*Gesinderwesen und Gesinderecht in Deutschland.*" Pp. 229. Jena, 1896.

"*Beiträge zur Lehre von den öffentlichen Schulden.*" Vol. I. "*Die preussische Kommunal anleihen.*" Pp. 121. Jena, 1897.

"*Die Bedeutung des Reichsinvalidenfonds für den preussischen Kommunalkredit.*" Conrad's Jahrbücher, 1897.

Jena.—Dr. Eduard Rosenthal was appointed last year Ordinary Professor of Public Law at the University of Jena. He was born September 6, 1853, at Würzburg, Bavaria, where he attended the gymnasium,

sium, and began his university studies. During his university studies, 1872-76, he also attended the Universities of Heidelberg and Berlin. At the university of his native city, he obtained the degree of Doctor Juris in 1878, having been engaged in legal practice since 1876. In 1880 he became Privat-docent at Jena, and in 1883 was appointed Extraordinary Professor. Professor Rosenthal is Chairman of the Thuringian Historical Commission. His writings include articles upon:

"*Handelsgeschäfte,*" "*Mühlenrecht,*" "*Speditionsgeschäfte,*" "*Unlauterer Wettbewerb,*" and "*Gesellschaften mit beschränkter Haftung,*" in Conrad's *Handwörterbuch*.

"*Zur Geschichte des Eigrutunes in der Stadt Würzburg.*" Pp. 153. 1878.

"*Die Rechtsfolger des Ehebruchs nach canonischen und deutschen Rechte.*" Pp. 104. 1880.

"*Beiträge zur deutschen Stadtrechtsgeschichte.*" Vols. I and II. "*Zur Rechtsgeschichte der Städte Landshut und Straubing.*" Pp. 337. 1883.

"*Die Behördenorganisation Kaiser Ferdinands I,*" *Archiv für österreichischen Geschichte*, 1887.

"*Geschichte des Gerichtswesens und der Verwaltungsorganisation Baierns.*" Vol. I, 1180-1598. Pp. 602. 1889.

"*Internationales Eisenbahnfrachtrecht auf Grund des internationalen Uebereinkommens vom 14 Oktober, 1890.*" Pp. 398. 1894.

Marburg.—Dr. Karl Oldenberg* has recently been appointed Extraordinary Professor of Political Economy at the University of Marburg. In recent years Professor Oldenberg has published:

"*Studien über die rheinisch-westfälische Bergarbeiterbewegung.*" Pp. 124. Leipzig, 1890

"*Die Ziele der deutschen Sozialdemokratie.*" Pp. 104. Leipzig, 1891.

"*Der Kellnerberuf, Eine sociale Studie.*" Pp. 57. Leipzig, 1893.

"*Der Maximalarbeitstag im Bäcker- und Konditorengewerbe.*" Pp. 212. Leipzig, 1894.

"*Ueber Deutschland als Industriestaat.*" Pp. 45. Vortrag, Göttingen, 1897.

"*Die Generalversammlung des Vereins für Socialpolitik 1890.*" Schmoller's Jahrbuch, 1891.

"*Ueber den Einfluss der Verkehr auf die Koalitionsgesetzgebung.*" Ibid., 1891.

"*Die heutige Lage der Commis nach neuerer Litteratur.*" Ibid., 1892.

"*Die Ausbreitung der Gewerkschaften in Deutschland und England.*" Ibid., 1892.

*See ANNALS, Vol. ii, p. 109, July, 1891.

"*Neuere Zeitschriften für socialpolitische Berichterstattung.*" Ibid. 1894.

"*Statistik der jugendlichen Fabrikarbeiter.*" Ibid., 1894.

"*Arbeitslosenstatistik, Arbeitsvermittlung und Arbeitslosenversicherung.*" Ibid., 1895.

"*Die Form des geplanten Arbeitslosenstatistik des Deutschen Reiches.*" Ibid., 1895.

"*Der Berliner Bierboycott im Jahre 1894.*" Ibid., 1896.

"*Der Arbeitsnachweis in Berliner Braugewerbe.*" Ibid., 1896.

"*Die Arbeitseinstellungen in Deutschland.*" Conrad's Handwörterbuch, Vol. I, 1890.

"*Die Arbeitseinstellungen in Deutschland.*" Ibid. First Supplementary volume, 1895.

"*Die Gewerkevereine in Deutschland.*" Ibid., 1895.

"*Ueber sociale Steuerpolitik in Preussen.*" Preussische Jahrbücher, 1893.

"*Die Bäcker- verordnungsdebatten und die Rechtsgültigkeit der Bäcker- verordnung.*" Ibid., 1896.

"*Die Arbeitslosenstatistik des letzten Winters.*" Socialpolitisches Centralblatt, May 8, 1893.

"*Arbeitslosigkeit.*" Fliegende Blätter aus dem Rauhen Hause. Hamburg, 1897.

"*Ortspolezci und Maximalarbeitstag.*" Blätter für sociale Praxis, August 30 and October 25, 1893.

"*Die Arbeitslosen versicherung in Basel-stadt.*" Ibid., February, 1895.

SWITZERLAND.

Basle.—Dr. Fritz Fleiner has recently been appointed Ordinary Professor of Public Law at the University of Basle. He was born January 24, 1867, at Aarau, and attended the schools of his native city and the gymnasium of the Cantonal School of Aargau. He studied law at the University of Zürich, 1887; Leipzig, 1887-88; Berlin, 1888-89; and returned in the fall of 1889 to Zürich, where he obtained the degree of Doctor Juris in 1890. He then entered legal practice in Aarau, becoming in 1891 advocate and notary. After passing a year in Paris, Dr. Fleiner became Privat-docent at the University of Zürich in 1892. In 1895 he was appointed Extraordinary Professor at the same institution. Professor Fleiner has written:

"*Obligatorische Civilehe und Katholische Kirche.*" (Awarded the Royal Prize by the Law Faculty at Berlin.) Leipzig, 1890.

"*Die tridentinische Ehevorschrift.*" Leipzig, 1892.

"*Die Ehescheidung Napoleons I.*" Leipzig, 1893.

"*Die religiöse Erziehung der Kinder, nach schweizerischen Bundesrecht.*" Zeitschrift für schweizerisches Recht. N. F. XII.

"*Staat und Bischofswahl in Bistum Basel.*" Leipzig, 1897.

"*Aargauische Kirchenpolitik in der Restaurationszeit.*" Taschenbuch der historischen Gesellschaft des Kantons Aargau, 1897.

Dr. Traugott Geering has recently become Privat-docent for Statistics in the University of Basle. He was born in that city February 21, 1859, and received there his early education in the gymnasium. He began his university studies at Basle in the year 1876, and in 1879 went to Leipzig. After a year there and a further year in Berlin, he returned to Basle in 1881 for a final year's study. His degree of Doctor of Philosophy was granted by the university of his native city. On the completion of his university work Dr. Geering devoted himself to literary pursuits, which bore fruit in 1886 in a "History of the Trade and Industries of Basle." In 1887 he became chief of the Swiss Commercial Statistics, in the Federal Customs Department at Berne. He resigned this post in 1896 to become secretary of the Chamber of Commerce at Basle. Dr. Geering is a member of the Swiss historical and statistical associations, and has been a member of the International Statistical Institute since 1896. In the latter organization he has borne a prominent part. The session at St. Petersburg, held in August of the present year, discussed upon his suggestion the comparability of commercial statistics and his proposal for a commercial year ending August 31. His contributions to the *Schweizerische Blätter für Wirtschaft und Socialpolitik*, and to the *Schweizerische statistische Zeitschrift* have been numerous. He has also published:

"*Handel und Industrie der Stadt Basel—bis zum Ende des XVIIIten Jahrhunderts.*" Pp. xxvi and 678. Basle, 1886.

"*Jahresberichte der Schweizerischen Handelsstatistik.*" 1887-95.

"*Zusammenfassender Berichte über den Schweizerischen Handel von 1885 bis 1895.*"

"*Staatswirtschaft,*" and "*Volkswirtschaft.*" Articles in Furrer's "Volkswirtschaftslexikon der Schweiz." Vols. III and IV.

"*Die Erhebungsperiode der Handelsstatistik.*" Bulletin de l'Institut Internationale de Statistique. Vol. IX.

Berne.—Dr. Ludwig Rudolf von Salis has been appointed Honorary Professor of Public Law at the University of Berne. He was born at Maienfeld, Grisons, Switzerland, May 28, 1863, and received his early training at the gymnasium of Basle. There he also began his legal studies at the university, and received in 1885 the degree of Doctor Juris. In the meantime he had pursued his studies at the universities of Heidelberg, Leipzig, Strassburg, Berlin and Paris. He entered

the judicial service in Basle as clerk of court, became later a member of the court of first instance, and in 1894 of the court of appeals. In 1886 he became Privat-docent at the University of Basle, and in 1888 was appointed Ordinary Professor in the legal faculty. In the year 1894 Professor von Salis was Rector of the University. In the present year he left Basle to enter the Federal Department of Justice at Berne as Chief of the Division of Legislation, etc. Besides articles in the *Zeitschrift für Schweizerisches Recht*, Professor von Salis has written:

"*Beiträge zur Geschichte des Eherechts.*" 1886.

"*Der Tridentinische Eheschliessungsvorschrift.*" 1888.

"*Rechtsquellen des Kantons Graubünden.*" 2 Vols. 1888.

"*Leges Burgundiorum in Monumenta Germanicæ.*" Halm, Hannover. 1892.

"*Schweizerisches Bundesrecht.*" 4 Vols. 1892-95.

"*Die Religionsfreiheit in der Praxis.*" 1892.

"*Der Erlass einer bürgerlichen Gesetzbuches.*" 1894.

BOOK DEPARTMENT.

NOTES.

THE MACMILLAN COMPANY have just brought out a second edition of Professor Bastable's useful "Theory of International Trade,"* of which the first edition was published ten years ago. Within this period much attention has been given to problems of foreign trade, especially in connection with the policy of protection. Professor Bastable is unswerving in his devotion to free trade, but he gives somewhat more extended attention to the arguments on the other side in this than in the previous edition of his manual. Believing in the essential soundness of the Ricardian theory of international trade, a considerable portion of the first five of the ten chapters of his work is devoted to the explanation of that theory and a refutation of its critics. The "applications" alluded to in the title are contained in the last five chapters, which treat respectively of, "the influence of foreign trade on the internal distribution of wealth," "taxation for revenue in its effects on foreign trade," "the rationale of free trade," "arguments for protection—reasons for its prevalence," and the "conclusion." The latter "is a negative one," and is to the effect that, "governments in their dealings with foreign trade should be guided by the much-vilified maxim of *laissez-faire*."

MR. LOUGH'S forcible presentation of the financial relations of England and Ireland† has been issued in a third revised and corrected edition. In the revision he has used much important material gathered by the royal commission on the financial relations between Great Britain and Ireland. The book is a strong statement, couched in temperate yet vigorous language, of the disadvantages which Ireland suffers in her present relations to the exchequer of the United Kingdom. While population and wealth have decayed during the century, taxation has increased and the *per capita* burden is greater than ever. The actual sums collected may appear small, but the proportion of taxable wealth taken by the state nearly exhausts the entire income of the people above the requirements of a

* *The Theory of International Trade, with Some of its Applications to Economic Policy.* By C. F. BASTABLE, M. A., LL. D. Second edition, revised. Pp. xii, 183. Price, \$1.25. London and New York: The Macmillan Co., 1897.

† *England's Wealth, Ireland's Poverty.* By THOMAS LOUGH, M. P., with ten colored diagrams. Pp. 223. Price, 1s. London: Downey & Co., 1897.

bare subsistence, so that the slightest breath of ill-fortune causes widespread want and destitution. For those who desire a knowledge of the latest phase which the Irish question has assumed, Mr. Lough's book offers a compact statement of the nature of the grievance, together with interesting suggestions of a remedy.

REV. CORTLAND MYERS, pastor of the Brooklyn Temple, has printed under the title "Midnight in a Great City"* the substance of some recent discourses on the moral degradation incident to modern urban life. The evils of tenement house life, the ruin of child life, the clouds in rich homes, the influences of the saloon, the low-grade theatres, gambling houses and houses of ill-fame are depicted in plain language and with a directness and power of illustration well fitted to arouse moral indignation, which is the main purpose of the book. Evils connected with the factory system and the mad rush for wealth at all cost and the partial rescue work of the hospitals and prisons, which gather in the physical and moral wrecks, come in for a share in the discussion. The author has made an honest effort to get at the real facts about which he talks, and, though much of his observation has been necessarily superficial for the purposes of the scientific study of the evils in question, he has gone far enough to avoid many of the exaggerations and mistakes of similar attempts to deal with these conditions for the purpose of arousing the moral conscience of the community. He has also wisely refrained from suggesting sweeping remedies for specific evils on the basis of hasty generalizations. His book will have accomplished its purpose if it arouses its readers to study some of its problems more deeply than its author has yet been able to do and to attack them with the true Christian's earnestness of purpose and love of righteousness.

IN "*La Sociologie. Par Auguste Comte*,"† M. Emile Rigolage has issued a condensation of the last three volumes of the "*Philosophie Positive*," which were included by Comte himself under the title "Social Physics." Comte originally intended that this subject should make up the fourth and last volume of his "Positive Philosophy," but the work of creating the new science of sociology, as he termed the task, grew in his hands until it required three volumes, and was then regarded by its author as only the prospectus

* *Midnight in a Great City*. By CORTLAND MYERS. Pp. 252. Price, \$1.00. New York: Merrill & Baker. 1896.

† *La Sociologie. Par Auguste Comte. Résumé par ÉMILE RIGOLAGE*. Pp. xv, 472. Price 7 fr. 50. Paris: Felix Alcan, 1897.

of what was to come. Rigolage published in 1881 a "Résumé of the Positive Philosophy" in two volumes which were later translated into German. The original French edition is now out of print and the present volume is practically a new edition of the second volume of the work published in 1881. The author does not think that the interest in the first part of the "Positive Philosophy" is sufficient to warrant a republication of the first volume of his "Résumé." The chief interest which English readers will take in the new volume consists in the significance of the publication as an index of the interest of French readers in this part of Comte's writings and their unwillingness to struggle with the heavy and monotonous style of Comte's own writing. Even his ardent followers see the necessity of meeting the demand for a more palatable if less accurate presentation of the positive philosophy. No condensation could be more satisfactory than the excellent piece of literary work done by Harriet Martineau. In her English translation, published originally in 1853, and of which we have had recently a new edition in three volumes in the Bohn Library, she reduced Comte's volumes to about one-fourth of their original bulk. Comte welcomed her book with profuse thanks, and one of his pupils rendered this English translation back into French. In its French form it has been widely used. Yet Comte, with all his peculiarities of style, was not simply verbose; he had some reason, some explanation or some attempt to guard against misconception hid away in all his long sentences. His followers will not admit the validity of criticisms based on the Martineau condensation or any other, and those who are able to read French would better consult and read the original six volumes by Comte, or such parts of them as are of present interest and value. His French followers would render an ultimately greater service to the scientific study of his philosophy, and the present interest in Comte would doubtless justify the undertaking, if they would issue a really good edition of the "Positive Philosophy" supplied with notes and a good introduction. An annotated edition of part of the work, but preserving the words of the original as far as it goes, is also a desideratum.

 REVIEWS.

Die Finanzverhältnisse der Einzelstaaten der Nordamerikanischen Union. By Dr. ERNEST LUDLOW BOGART. Pp. xiii, 157. Jena: Gustav Fischer, 1897.

This adds another to the long list of economic studies made by American students under the direction of Professor Conrad. The title

is a little misleading, for it is not the "*Finanzverhältnisse*" that the author treats of, but certain phases of the "*Finanzwesen*" of the different commonwealths. The book contains an introduction and four parts. The introduction is for German readers. It tells them, what they are so prone to forget, that the American commonwealths have independent fields of action. The first part is descriptive and historical. It deals mainly with the history of state debts and with the constitutional limitations of the power of the legislatures in regard to finance. The second part deals with the procedure in the formation of the budget, and includes in translation the author's paper on "Financial Procedure in State Legislatures." * The third part is an analysis of the budgets of the different commonwealths and includes an outline of the different forms of taxation in use. The fourth and last part discusses the present conditions of state debts.

Dr. Bogart has worked at a great disadvantage, since he has consulted the works of but few of the previous writers in this field. He apparently has not seen Cooley's treatise on the "Law of Taxation," nor Patten's "*Finanzwesen der Staaten und Städte der Nordamerikanischen Union*," an admirable little pamphlet on precisely the same subject and published in the same series of economic studies. He has no references to Trotter's "Observations," Scott's "Repudiation," Johnson's "Report on the Relief of the States," Wood's "History of Taxation in Vermont," Ripley's "Financial History of Virginia," Douglas' "Financial History of Massachusetts" nor to a number of other contributions to this field. Not one of the numerous cases bearing on taxation or financial procedure that have been decided by the courts is cited. The reports of state officials, the census, and the statutes form his chief sources.

The best part of the book is the sketch of financial procedure in state legislatures, half of which, that dealing with appropriations, has already been printed in English in the ANNALS. The other half, dealing with the procedure in raising money, is equally good. Outside of this sketch there is little that is new in the book. The first part is drawn mainly from Adam's "Public Debts," and the third from Seligman's various works.

There are a number of misprints and errors. Here are a few that were noted. On page 6 the commonwealths are credited with spending only \$77,105,911 in 1890. As a matter of fact they spent over \$116,000,000 that year. On page 7 and in the table on page 8 the states are charged with a debt of \$228,297,093 in 1890; the figures should be \$228,997,389. There are other misprints in the same table. On page 8 it is stated that Wisconsin was the first state to place constitutional

* ANNALS, Vol. viii, p. 236, September, 1896.

restrictions upon the power of the legislature to make debts (1848), but that honor belongs to Rhode Island, which introduced such a restriction in the constitution adopted in 1842, at the close of the Dorr War. On pages 15 and 20 occurs the statement that the last payment on the old national debt was made in 1834; this should read 1836. In the discussion of the causes of the growth of state debts between 1830 and 1840, no consideration is given to the fact that railroads were a new invention and that they were absolutely necessary at any cost in the Western states. In table vii, page 37, it is stated that the sessions of the Legislature of California are limited to 100 days. There is no fixed limit, but the legislators can collect a *per diem* for sixty days only. But the first legislature after the adoption of the constitution was allowed payment for 100 days. On page 112 California is omitted from the list of states which exempt growing crops. In the discussion of the forms of the tax rate, page 114, no mention is made of the peculiar forms of the tax base, such as the Grand List of Vermont, from which a new form of the tax rate arises.

Some rather naïve judgments are expressed. Thus, on page 61 it is said that the members of the state legislatures are convinced of the correctness of the "theory of the diffusion of taxes," and that hence they consider no tax as good as an old one. We were not aware that the members of the state legislatures thought seriously of any tax theory. On page 147 the differences in the financial systems of the states are spoken of as insignificant, and the author reaches the conclusion that they will gradually disappear. The present tendencies are, however, all in the opposite direction, and the differences are anything but insignificant.

The treatment of the tax systems of the different states is extremely confused and well illustrates the necessity of studying the system of each state by itself. The similarities which tempt to a general discussion are very superficial.

CARL C. PLEHN.

University of California.

Introduction to the Study of Economics. BY CHARLES JESSE BULLOCK, Ph. D. Pp. 511. Price \$1.25. New York, Boston and Chicago: Silver, Burdett & Co., 1897.

As another attempt to formulate in an elementary text-book the results of recent investigation and analysis in the field of economics, Dr. Bullock's "Introduction" will be welcomed by a wide circle of readers. Its perusal, it is safe to say, will arouse feelings both of satisfaction and of disappointment in the minds of those who seek

in its pages an explanation of the complex industrial phenomena which surround them. The book is not easy to read, nor are its theoretical parts easy to understand. On the other hand, it abounds in useful statistical information and illustrations drawn from actual business life, which are sure to make it interesting to students. The author shows a wide acquaintance with the literature of economics, and his references are nearly always well selected, though somewhat too copious for practical use.

The work is divided into sixteen chapters, of which the longest (56 pp.) is devoted to the "Distribution of Wealth," while the shortest and concluding chapter (14 pp.) discusses the "Economic Functions of Government." Each chapter is followed by a short table of references for collateral reading, while the whole work is concluded by a sixteen-page bibliography, referring to French and German as well as to English and American literature.

How best to introduce economics to the unsophisticated student is a question that perennially harasses the minds alike of teachers and text-book writers. With accepted methods the author of the book under review evidently has little patience. Instead of commencing with the usual observations in regard to the relations between economics and business, he introduces his treatise with a summary account of the economic history of the United States. Well-balanced as this account undoubtedly is, I cannot but think it out of place as a preparation for the chapters on economic theory which follow. The institutions of private property, freedom of contract, money, credit, and even capitalistic production, a study of whose origins *would be* most helpful to the beginner in political economy, were borrowed by us from the mother country. Aside from slavery, therefore, our own economic history has been exceedingly simple. An understanding of how population has increased and spread out over our West, of how we have utilized our natural resources, and of how manufactures and means of communication have grown up among us, however important to the American citizen, is of little direct assistance to the student of economics.

However, I agree with Dr. Bullock in believing that the ordinary text-books plunge too precipitately into an *analysis* of economic phenomena. It seems to be forgotten by the writers of these works that, whereas the older economists addressed themselves to the business community and could take for granted a thorough acquaintance with business phenomena, their pages will be read mainly by students as unfamiliar with the subject-matter of economics as with the science itself. It is easier to appreciate this difficulty than to discover the best means of coping with it. With some diffidence I would suggest as

a better introduction to the study of economics than industrial history, a concrete *description* of the actual structure and methods of modern business, which should pave the way for, and in a sense, justify the abstractions subsequently employed.

Coming to the portion of Dr. Bullock's book treating of economics proper, a chapter on consumption is found to prepare the way for the production of wealth, an arrangement which attests the author's conversion to the modern view of what clearness and logic require. Exchange is taken up after production, and introduces three excellent chapters treating of money. Chapters on monopolies and on international trade are then interjected before the long chapter on distribution, already alluded to, while the work concludes with three chapters discussing in a sympathetic, and, at the same time, critical spirit, such matters as labor unions, land nationalization and socialism.

The principal fault to be found with the body of the author's work, refers to his literary style rather than to the matter presented. Short, feverish sentences hurry the reader along from one topic to another, until his head fairly whirls. Scarcely any subject is treated calmly and exhaustively, but each is dismissed with an outline-like paragraph or page, reading often more like a note-book than like a serious work. For example, on pages 186 and 187 we have the following: "§ 110. We must consider next the causes that determine the value of commodities. In this question economists are not yet agreed concerning certain points. First, it is necessary to distinguish between market value and normal value. During 1895 the price of a bushel of wheat in New York varied from fifty-six to eighty-three cents, and was seldom exactly the same on any two successive days," etc. Aside from obvious infelicities of expression, the rushing quality of this diction should be apparent.

Since the author is persuaded—and rightly so, I believe—of the unwisdom of introducing "the beginner to many controversies on fundamental points of theory," it would be unfair to criticise too minutely the chapters treating of value ("exchange"), and distribution. After reading them over carefully I am at a loss to understand how he escapes from the logical circle involved in explaining normal value by a reference to the money cost of production (p. 195), and subsequently finding the "upper limit" to wages (p. 406), in the fact that enough must be left after wages are paid to remunerate the *entrepreneurs* and capitalists for their contributions to the productive result. This may be due, however, to the author's effort to simplify the theory of distribution rather than to any vagueness in his own thinking. In any case, I believe a straight forward explanation of the

"productivity" theory of distribution would give to beginners a clearer and more accurate idea of the influences determining wages, interest, profits, and rent, than the somewhat confusing combination of theories that Dr. Bullock presents.

H. R. S.

A General Freight and Passenger Post. A Practical Solution of the Railroad Problem. By JAMES LEWIS COWLES. Pages xii, 155. Price, \$1.00. New York: G. P. Putnam's Sons, 1896.

This little book is characterized by the general advantages and disadvantages of the other volumes in the Questions of the Day Series. It presents a brief and somewhat dogmatic view of the question discussed. The book contains four chapters. The first, devoted to the post-office since 1839, contains a brief general description of the development of the post-office in England and the United States. The second chapter discusses the abuses of the present system of railway management, setting forth in a clear way the absurdities and inconsistencies underlying the system of passenger and freight tariffs in existence in the United States to-day. The author has a tolerably easy task to prove that very few systems could be worse or more illogical. He emphasizes properly enough the proposition that the railways are, from an economic and social point of view, really public instead of private institutions, while they are managed as if they were purely private in character. The third chapter takes up the real discussion of the subject, and attacks the principle of distance as a basis for the determination of railway rates. Much interesting evidence is adduced to show how steadily and rapidly the cost of transportation decreases as the traffic grows. The fourth and last chapter considers the principle of cost of service as a basis of public transportation charges, and an interesting argument is made in favor of adopting this principle instead of the distance principle.

There is no doubt that American railway managers have failed to discern the possibilities of the passenger traffic as a source of income. Their minds have been so exclusively fixed upon the freight business, and we may say, upon the long-distance through-freight business, that they have been blind to the possibilities of profit in the development of the passenger traffic and of local freight business.

Of course from an economic point of view the whole possibility of going over to the system of uniform rates for passengers and freight, independent of distance, turns at bottom upon the possible increase of the business itself, and it must be confessed that at this time any set of railroad managers who should adopt this reform would be

walking by faith instead of by sight. That, of course, is of itself no argument against the wisdom or feasibility of adopting such a reform. On the contrary, the great changes and improvements which have come about in questions of public policy have been the result of such faith, of such intuitive insight and foresight, rather than of timid and overcautious experimentation. But those who believe in the possibility of the reform need not be surprised at the conservatism of practical railroad managers on this subject. There is little doubt, however, of a steady development in the direction indicated by the author of this book, unless our ideas as to the social function and possibility of the railway and its management should develop along entirely different lines from those which seem likely now. In spite of its brevity the book gives the best account of the movement for a reform in our freight and passenger tariff policy and the best argument in its behalf which have thus far been given in English.

EDMUND J. JAMES.

The Evolution of the Constitution of the United States. By SYDNEY GEORGE FISHER. Philadelphia: The J. B. Lippincott Co., 1897.

"If I find on American soil the footprints of a man, and wish to discover whence he came, I surely ought not to assume at once that he is a foreigner, and take the next steamer for England or Holland, to see if I can find footprints over there that are like his. . . . for it may be that he is a native." With this for his text, and the growth of American institutions for his topic, Mr. Fisher has given us a brief, but comprehensive, study of the sources of our national constitution. He summons before him the various theories on this subject, the English, the Dutch, the ancient Greek, and even Mr. Gladstone's memorable dictum; he examines each with a critical, and often a hostile, eye, and finds them all wanting. These critical chapters, while not well condensed, contain much that is valuable. Having disposed of these theories of the foreign origin of our institutions, the author next turns to American sources, and in three excellent chapters, one on "Evolution from the Colonial Charters," and two on the "Evolution of Federalism," he shows the direct influence exerted on our constitutional development by the experience of the colonies and states. In this part of the work the author is at his best; he portrays most accurately the growth of the legislative, executive and judicial departments of the federal government from the colonial charters, and shows with a clearness that is almost startling, the logical growth of the federal idea through the innumerable plans of union. These plans begin with the New England

Union in 1643, and include the drafts and frames of government of Charles II., James II., William Penn, Charles D'Avenant, Robert Livingston, Earl of Stair, Daniel Coxe, Benjamin Franklin, Peters, Hutchinson, Johnson, Drayton, Noah Webster, and the various suggestions in this line offered in the convention. One of the most interesting parts of the work is the discussion of the sources of Puritan ideas on government. There were, says Mr. Fisher, three different sets of conditions, of climate, soil, character of Indians, etc., in the territory to be settled, making three distinct regions, New England, the Middle Provinces, and the South. Corresponding to these three sections we find, says the author, three different forms of local government arising, and therefore since the character of the immigrants was, in general at least, the same, we must account for the differences in governmental ideas almost entirely by these differences in physical environment. But was the character of the immigrants the same? Certainly our histories would make us believe that the Puritan settlers were mostly middle-class folk and tradesmen, while the immigration into Virginia and Carolina was largely made up of younger sons of the nobility, of mere adventurers and idlers. If this be true then Mr. Fisher must admit that a powerful influence was exerted on the formation of plantations, and of the parish-county form of government by the character of the population, but this he could safely do without modifying in essential particulars his contention that it was American conditions, and not English traditions which gave rise to our systems of local administration and eventually to the peculiar organization of our national government. Obviously the author's views stand in marked contrast to the usually accepted doctrine as expounded by Bryce, Stevens, Taylor, Howard and a host of others, who have written on our local as well as our federal constitutional development. It seems highly probable that the light of future research will lead to the rejection of both sides of the controversy as half-truths or extremes. On the one hand the ultra-English tendency which persists in tracing all important features of our institutions to their "English originals" must be regarded as definitely refuted by Mr. Fisher, who shows the influence of physical environment and, above all, the application of colonial experience in the make-up of the federal constitution. On the other hand Mr. Fisher certainly underestimates the influence of race traditions and inclinations when he excludes from calculation the democratic tendencies of the Anglo-Saxons, their undoubted political genius and the influence which these would naturally exert on the formation of a peculiar form of government more or less similar to that obtaining in the mother country. In one sense our institutions are English in that they were erected by Englishmen, with English habits

of thought; in another, they are not English because they were influenced in a greater degree by the circumstances of time and place, by environment.

The arrangement of the work is not all that could be desired. It would have been more helpful to the reader had the author's theory of our constitutional development been placed in its logical sequence after the critical portions of the work. It is also to be regretted that the author has devoted one-sixth of his entire book to a refutation of Campbell's theory regarding the Dutch sources of the constitution. Mr. Campbell's theory has already served its term as the literary punching-bag for writers and speakers in this field, and it has been hit so often and so hard that it no longer rebounds properly. In conclusion, the reader, if he be a student of constitutional history, must feel grateful for the clear and forcible explanation of the influence of natural surroundings on the formation of governmental systems, since it is from this point of view that we have most to expect in the future study of our institutions.

JAMES T. YOUNG.

University of Pennsylvania.

Geschichte und System der Eisenbahnbenutzung im Kriege. Ein eisenbahn-technisches und militärisches Hilfsbuch. By Dr. JOESTEN. Pp. 88. Leipzig. Deutsche Verkehrs-Blätter, 1896.

In Great Britain and the United States the development of railroads has been primarily determined by industrial conditions, while military considerations have played but a secondary rôle. On the continent of Europe, however, the location of railroads, and the manner of their construction and operation, have been influenced by the probable demands to be made upon them in time of war. Railroads have acted upon the military, somewhat as they have upon the industrial organization of European states; armies have become differentiated, and a division of labor has been systematically carried out upon a large scale. Armies have become greater and their movements quicker, and wars have become more rapid and destructive but less frequent in consequence.

The writer of this volume is a recognized authority on the subject of the military use of railroads. Under the pseudonym of Miles Ferrarius, he has already contributed several books and some fifty articles to the literature of the subject. In the present book, Dr. Joesten draws attention to the importance of railways in mobilizing armies at the outbreak of a war, and in maintaining the forces during its continuance. Such is the rapidity of mobilization of the armies of to-day

that the loss of a few hours may be fatal to the success of a whole campaign. This is the chief employment for military railroads, but they may also be used in provisioning the army, and in bearing away wounded and prisoners. For purely tactical purposes, the use of railroads is more limited; since the conveyance of troops upon the field is dangerous and even ruinous, unless the road is quite secure from attack, but circular railways, for the defence of extensive fortifications, have been of great service and may be a salient feature in future campaigns. Dr. Joesten gives an admirable historical account of the military use of railroads from the campaigns of 1848 and 1849 to the Franco-Prussian war, but is guilty of one or two needlessly prolix digressions. The book concludes with a systematic account of the military organization of the railroads in Germany, France, Russia, Austria-Hungary and Italy.

WALTER E. WEYL.

Philadelphia.

Conscience et Volonté sociales. Par J. NOVICOW. Bibliothèque Sociologique Internationale. Pp. 380. Price, 6 francs. Paris: V. Girard & E. Brière, 1897.

This is a fascinating book to any one interested at all in social philosophy. It is an attempt to construct, in rough outline at least, a social psychology. The subject is fresh and the author's style so clear that one is carried along with ease and interest from beginning to end. Alas, when he has finished, the reader feels that the hopes that have been raised by the proposed solution of many knotty problems are vain. With all the array of interesting facts, to a consideration of which we are treated, there is much to wish for in the reasoning and method of discussion. The author accepts the organic theory of society in all its literalness and explains and defends it in his introductory chapters and in his concluding one with admirable clearness. He is right in maintaining that we must, in order to refute a theory, meet it with a counter theory, but not correct in thinking that the idea of unity in the universe and in the laws governing it, forces us to believe that human beings in their relations to each other are parts of a biological organism working out a life of its own. He is also asking too much of us when he says that because the organic theory brings sociology into relation with more general sciences it therefore contains a greater sum of truth than other theories of society, which is the test he has previously established of a good and acceptable theory. This is

poor reasoning and is accompanied by a loose use of terms, as for example in the use of the words "general science."

His answers to some of the opponents of the organic theory, and especially in commenting on M. Leroy-Beaulieu's criticisms, are often well taken, but this negative proof does not help to establish the positive of the theory M. Novicow defends. His whole argument that the organic theory can be used as a support for absolute individualism is about as unscientific an appeal to reason as the misuse of the theory with which he charges the socialists.

One of the most interesting parts of the volume, to most readers will be that in which the position of those who accept the organic theory *in toto* is explained. With this established to the satisfaction of the author, his method renders the remainder of the book a little curious and one must hand it over for criticism to a psychologist. On almost every topic the process or mechanism by which the individual mind acts is explained, and then comes the phrase "just so in society" forces A and B work to produce result C, etc. One suspects at times that the cards are packed to produce such neat results. The attempt to establish fixed laws to read in good form is sometimes more satisfactory than the following, where on page 243 we are told that the individual is interested only in those things of which he can form some mental representation or picture; therefore, the journalist gives most of his space to commonplace and vulgar things and to acts of celebrities, sovereigns, ministers, comedians, etc. On this basis, "one can formulate as a law the following proposition: the facts which attract the daily attention of society are in inverse ratio to their importance." A few pages farther on we are informed, likewise in italics, that there is a second law depending on this, namely: "the faster a fact passes out of social consciousness the less important is it for society."

M. Novicow has some interesting views on democracy which we cannot here discuss. He believes in an élite in every society made up of the wealthy and cultured who work for the good of society and who in the aggregate constitute the social mind, or, as he terms it, *le sensorium social*. His attempt to estimate the numerical strength of this element leads him even to beg the reader's pardon for introducing so unsatisfactory a discussion; it would have been better to have omitted the chapter.

All the faults of the book are due to the false basis on which it rests and the foolish method which the author is forced to follow after giving such unqualified adherence to the organic theory. He has gathered much good material and is an observing student of social phenomena; if he will only throw off the self-imposed

shackles and discuss social phenomena as such with all the simplicity and devotion with which he treats his pet organic idea at present, he will attain more satisfactory results.

SAMUEL MCCUNE LINDSAY.

The Chances of Death, and Other Studies in Evolution. By KARL PEARSON, M. A., F. R. S., Professor of Applied Mathematics in University College, London, etc. Two volumes, with illustrations. Pp. 388 and 460. Price, \$8.00. London and New York: Edward Arnold, 1897.

The essays collected in these volumes embrace a wide variety of topics. The titles of the studies, which range from "Monte Carlo Roulette" to "Politics and Science" and to "Passion Plays," suggest the light and graceful touch of the man of letters rather than the severer labor of the man of science. One may seek in vain in the list of titles for plan, unity and connection. Indeed, so little has the author done to give his work the appearance of coherency, that one is disposed to assume an intuitional obscurity in this respect.

The bond of union between the various studies lies in the essential oneness of the mental attitude with which the author approaches the various subjects which receive his attention. The principle of evolution is the formula of interpretation, which, properly applied, enables us to reconstruct the world of the past, to understand the world of the present and even to catch glimpses of the future. Thus it is applied in these writings which so justify their title of studies in evolution. How much connection there should be between productions published together and launched into the world between the same covers, will probably always be in dispute. But it is recognized as reasonable that such productions shall reveal the author, with his mental traits, his habit of mind and thought. We expect such productions to show themselves fruits of the same soil. Despite the somewhat motley aspect of their outward garb and designation, the essays of Professor Pearson reveal a strong inner kinship which amply justifies their publication in the present form.

The studies included in these volumes are twelve in number. In "The Chances of Death" and in "Monte Carlo Roulette" the author discusses statistical probability with its relation to the evolutionary problem of variation. In "Reproductive Selection" and "Variation in Man and Woman" he deals with questions of physical anthropology. In the series of essays in the second volume, "Woman as a Witch," "Ashiepatle" and "Kindred Group Marriage," we have

a study of folk-lore and philology for the indications of the evolution of society from a primitive organization on the basis of mother right, while in the essay upon "Passion Plays" we are shown the gradual unfolding of the religious conceptions of the Middle Ages. Two essays, "Socialism and Natural Selection," and "Women and Labor," seek light upon the probable future development of the race from a consideration of present social conditions, while in "Politics and Science" and in "Reaction" we have a fierce polemic in support of the position of modern science against recent attacks upon its rationality. In summarizing the contents of the two volumes we have not held to the order in which the essays are printed, as it fails to reveal any principle of arrangement.

The studies included in these volumes are studies of human evolution. They are the application of the formulæ of the natural scientist to problems of social interest. The student will find in them forcible presentations in vigorous language of some of the current problems of research, which lie on the unsurveyed borderland between the sciences. Of the contents of the various studies it would be useless to speak in further detail. They are to the author, simply illustrations of the underlying principle of evolution. He is concerned less with the matter investigated than with the point of view. In enforcing and illustrating this mental attitude, which sees in evolution, in its mathematical, its biological and historical forms the key for the interpretation of all knowledge, lies the chief reason for the separate publication of these popular essays and papers. The object has been well accomplished, for the terse practical style of the essays cannot fail to retain the attention of the reader, while the contents must stimulate him to further study. The typographical excellence of the books makes reading easy, but it may debar the books from having so large a circulation as might be wished.

ROLAND P. FALKNER.

The General Property Tax. By CARL C. PLEHN, Ph. D. Pp. 79. Price, 50 cents. American Economic Association Studies, Vol. II, No. 3. New York: The Macmillan Co., 1897.

It is a commonplace of American financial science that the general property tax has proved a failure under modern conditions. Professor Plehn's essay is a demonstration of this fact in the particular instance of California. Having proved it for California he concludes, not without reason, that the condemnation of the tax applies equally well to other states. Of California he says, "In the first place she has

given this tax an uninterrupted trial for forty-seven years, long enough to have tested its full possibilities. In the second place she has had, during most of the time, and now has, one of the best property tax laws ever written. . . . In the third place the conditions have been as favorable to the administration of the law here as they can be anywhere in the United States. If the tax has failed in California it is safe to conclude that it was mainly because of its faults in principle."

Under the California law the property tax is a *general* property tax; all kinds of property are included, both tangible and intangible. In the statutory definition of what constitutes property, moneys, credits, bonds, stocks, dues and franchises are included,—in fact, all things capable of private ownership. Of course, the property of a community, under such a definition, does not coincide with its economic wealth. The natural result is double taxation. To avoid this, California has adopted in the case of mortgages a somewhat unusual method of deduction. The mortgagee is taxed on the mortgage at its face value, and this valuation is deducted from the assessed value of the property and the mortgagor is taxed for the remainder. The mortgage from a legal point of view is treated as realty with a taxable *situs* where the mortgaged land lies. This method is not original with California; in fact it exists or has existed in several other states as well as in the antipodes. The merit of the method lies in the fact that the tax is levied with some reference to the ability of the parties. It has been criticised on practical grounds. It is said that the mortgagor is compelled in consequence to pay a higher rate of interest. Professor Plehn takes this view, although he admits that the method is ideally correct. He does not produce any new evidence on the matter, and at present, it must be confessed, the evidence is conflicting, but he concludes that under "present conditions in California by far the best plan would be to tax the owner for the whole of the property and to exempt the mortgagee."

Regarding double taxation Professor Plehn says: "Double taxation is very nearly avoided in California. The treatment of mortgages and of debts, secured by deeds of trust or in other ways, as representing a part ownership of the property given as security, prevents one form of double taxation common in other states. Debts due residents of the state and taxed as solvent credits of the creditor may be deducted from solvent credits of the debtor. But there is still double taxation in the following cases: (1) Personal property, such as stocks and bonds of corporations whose tangible property is taxed in other states, are taxable if the owner resides in California. (2) No deduction is allowed for debt except in the two above mentioned cases."

This statement seems not to take account of the fact that the bondholders in domestic corporations are taxable on their bonds, although the corporation itself is taxable to the full extent on its property. This discrimination between public and private mortgages was called to the attention of the courts in the case of *Cen. P. Ry. Co. vs. Bd. of Equalization* (60 Cal. 35), but it was upheld as lawful.

There is likewise a great inequality and irregularity in the taxation of franchises. In California some of the railroads have taken advantage of the fact that they received their incorporation from the federal government to claim complete exemption from the tax on franchises. On the other hand, some corporations are taxed on their franchises, although they possess no valuable privileges. Professor Plehn rightly asserts that there is a distinction between franchises in the legal view and valuable franchises which alone are properly objects of taxation.

In regard to the practical work of assessment of real estate great variations exist. Professor Plehn says that these inequalities may be divided into *three* classes, but he proceeds to enumerate *four*, viz.: those arising (1) between localities, (2) between rural and urban property, (3) between land and improvements, (4) between individuals. These, of course, are often combined. As usual, the farmer appears to be the chief sufferer.

The chief indictment against the general property tax is that it does not reach intangible personal property. This defect is very conspicuous in California. Real estate bears a constantly increasing ratio of the burden. One of the most interesting and instructive evidences of this failure to reach personalty is given by Professor Plehn in the comparison of the assessed valuation of buildings and movables with the underwriters' reports of loss by fire. In the former case the value of the movables amounted to but 50 per cent of the realty, while in the latter case it was nearly three times as much. In a paper of some eighty pages it is difficult to treat such a large subject as the complete tax system of a state, yet Professor Plehn has given an admirable statement of its chief features and most glaring defects. The essay appears to have been written with a purpose of promoting reform, but no proposals of a positive character are made. The determination of this question is attended with not a little difficulty, but perhaps Professor Plehn will address himself to its solution.

Colorado College.

FRANCIS WALKER.

Der Clearing und Giro-Verkehr in Oesterreich-Ungarn und im Auslande. Von Dr. HEINRICH RAUCHBERG. Pp. 212. Vienna: Hoelder, 1897.

In his most recent work Professor Rauchberg gives an excellent

picture of the banking organization of Austria-Hungary, which throws an instructive light upon the commercial and industrial methods of that country. Through comparisons with other nations, and especially with the German Empire, the author shows very successfully the degree of banking development which has been attained by Austria.

The barbarous terminology of German banking practice obscures somewhat for the foreign reader the full significance of the picture which is unrolled. Suffice it to say that the object of the work is to determine the extent to which payments are effected through credit instruments without the intervention of money. The distinction made in the title is between such transactions as can be regulated by book transfers of a single bank and its branches (*Giro-geschaeft*) and such as require the intervention of the clearing house for the reciprocal compensation of the obligations of different banks. In the United States, where no single bank dominates the banking business of the country, such a distinction is unfamiliar. In Austria-Hungary and in Germany, on the other hand, it grows out of the supremacy in the money market of one or two institutions, notably the national banks of these states.

The purpose of the author in the present work is not to describe the technical operations involved in effecting payments without the use of money, but to ascertain the development and extent of this practice. He shows incidentally that an admirable banking organization has been effected in Austria, and that a well-planned machinery exists for economizing the use of money. By a resort to the statistics of the banks, which he handles with a master hand, he shows what progress has been attained, notably in the past decade. But when a comparison is made between Austrian achievements and those of other nations it appears that little has been done to utilize the existing facilities. Unwearied efforts have been made by the banking authorities of recent years to introduce the use of checks. Despite the increase in their use, the fact that payment for more than half the checks is made over the bank counters in actual money, shows clearly that they do not fulfill their true function. Nor can it be otherwise while the use of checks is confined to so small a percentage of the people. It appears clearly from the innumerable tables which the author presents, that while Austria-Hungary possesses the form of a credit organization it lacks its spirit.

It is not the special position of the Austro-Hungarian Empire in this respect which will be of chief interest to the American reader, but rather the general view which is given of the banking practice of Continental Europe as compared with the usages of Great Britain

and the United States. Nowhere on the Continent do we see the use of credit so widely diffused as in the latter countries. On the Continent it is confined to the commercial and industrial chiefs in economic activity and has not permeated into the mass of the people. The facts brought forward so clearly in Professor Rauchberg's book give us instructive glimpses into the economic organization of industry and commerce in the countries of southern and eastern Europe. They enable us to appreciate the greater expansive power and at the same time the greater sensitiveness of economic movements in Great Britain and in our own country.

ROLAND P. FALKNER.

Neue Beiträge zur Frage der Arbeitslosen-Versicherung. By Dr. GEORG SCHANZ. Pp. viii, 216. Price, 4 marks. Berlin: Carl Heymanns, 1897.

Professor Schanz is already well known as an authority on the subject of labor insurance, from his study of the problem of insurance against non-employment. His book on this question, which appeared in 1895, contained a very careful summary of the various proposals for such insurance, and a good discussion of the world's experience with such insurance down to that date. It will be remembered that Professor Schanz was negative in his criticism of this form of compulsory state insurance and prophesied its ultimate failure as a practicable measure. He proposed, however, a scheme for a compulsory saving fund under state insurance management, to which both laborers and employers should contribute a small sum weekly up to a certain minimum limit, amounting to about \$25. When this point is reached, the obligation to add to this fund ceases. The laborer has absolute control over the spending of this money in times when he is out of employment. But whenever the amount to his credit falls below the 100 mark line he is obliged to make weekly contributions to bring it up to this sum, as soon as he receives wages.

Dr. Schanz makes out a strong case in favor of some such plan as the only means of overcoming the almost insurmountable difficulties connected with compulsory state insurance. The present little volume is a series of essays dealing with many sides of this question; some of the chapters have already appeared in periodical literature, but most of them are now new. In the first place he takes up and answers the objections which were made to his plan on compulsory saving as a substitute for compulsory insurance. He then reviews the latest experience, coming down to about March, 1897, of the compulsory insurance schemes in Switzerland. He deals only with the insurance

against non-employment, not with the insurance against sickness, old age, etc., and also with a period prior to a discontinuance of this form of insurance which has since taken place in most of the Swiss cantons. He finds much to criticise in the experience obtained in St. Gallen, Basel and Berne. He also discusses the proposition looking to some establishment of compulsory insurance in Cologne and in Stuttgart. The latter was a far less democratic measure than most of such schemes have been, and because of the fact that it carries only a high class of risks has been somewhat more successful. A chapter is devoted to the Workingman's Saving Fund, in Bologna, and the effort to enlist wider circles and in some cases a compulsory saving in the saving funds of Düsseldorf, Geneva and St. Gallen.

Three exceedingly interesting chapters deal with the development of saving funds in the labor unions, and the attitude of the various political parties in Germany to the question of insurance against non-employment, and lastly to the latest statistical data on the question of the unemployed in Germany. The last chapter will, therefore, interest a wider circle of readers than those who care to study the question of insurance, in that it throws much light on the question of industrial development and industrial displacement through non-employment in Germany at the present time.

Dr. Schanz has not in this volume gone into the theoretical question of the effect of such insurance on the wages problem, on the standard of living, and especially its direct effect on the competition between the less skilled and the more skilled within any particular department of the labor market. These questions are barely touched upon here and there throughout this last volume, and none too fully in the author's larger work. The whole interest of the student of economics, and even of sociology, when dealing with this problem of insurance against non-employment, must centre in these questions. While most of the material in the two volumes already mentioned is of more direct service to those engaged in the administration of practical efforts along these lines, Dr. Schanz might well give us another volume dealing exclusively with the theoretical basis of insurance against non-employment.

SAMUEL McCUNE LINDSAY.

The Educational Value of Children's Playgrounds. By STOVAN VASIL TSANOFF. Pp. vi, 203. Price, \$1.00. Philadelphia: 1305 Arch street. 1897.

Mr. Tsanoff, who is General Secretary of the Culture Extension League of Philadelphia, has been a close student for several years of

the important subject of which he treats, and is therefore eminently fitted for his task. His work is the first systematic treatise which takes a comprehensive view of the entire field under examination. Mr. Tsanoff objects most strenuously to the usual estimate of children's playgrounds as a means of physical development only. The child does develop his physical side in romp and play, says the author, but he also does something more. Play in fact exercises an even more powerful influence on the child's moral character than does work. The reasoning is, briefly, that character is but a "bundle of habits;" habits, however, are formed by continued repetition of an act or prolonged imitation of an example. Now we repeat and imitate that in which we have pleasure or interest, and during the period of childhood we are certainly most interested in play, so that the only remaining question is, by what kinds of play are children most interested and influenced? These, the author finds, are out-door sports. Hence the inference that such sports must necessarily exercise the most important influence on character. The author next discusses the ordinary agencies of character-formation, viz., the school, the home and the church, but finds that in spite of excellent schools, refined and attractive home, and constantly improving church influences, the rising generations show no proportionate improvement in character. Their interest and attention are centred in play, and it is therefore through their games that we must influence and upbuild them. After an "appeal to the responsible," *i. e.*, educators, press, government, church and philanthropists in general, the work closes with an interesting discussion of the true province of the church.

In criticism, it may be said that the author certainly underestimates the value of the church, home and school in the formation of character; none of these is without a distinct and highly important influence on the development of habit. On the other hand, the author is highly deserving of recognition for his clear and convincing proof of the equally important value of play in this regard. Mr. Tsanoff goes even farther than Froebel in this direction, and perhaps it would not be too much to say that he shows that, at certain periods of the child's life, at least, the influence of play equals that of the other three factors combined.

JAMES T. YOUNG.

University of Pennsylvania.

ASSOCIATION MEETINGS.

BRITISH ASSOCIATION FOR THE ADVANCEMENT OF SCIENCE.

For the second time in its history the British Association met in Canada at Toronto, from August 19 to 25. In the Section of Economics and Statistics, the address of the President, Professor E. C. K. Gonner, of University College, Liverpool, was devoted to the "Labor Question." The following papers were also read: "The History and Policy of Trade Combination in Canada," by W. H. Moore, B. A.; "Recent Aspects of Profit Sharing," by Professor N. P. Gilman; "A Consideration of State Monopolies, Illustrated by the Tobacco Monopoly in Austria," by M. Wickett, Ph. D.; "Statistics of Deaf-Mutism in Canada," by Mr. George Johnson, "Some Fallacies in the Theory of the Distribution of Wealth," by Professor A. T. Hadley; "Canada and the Silver Question," by Professor J. Davidson; "The Origin of the Dollar," by Professor W. G. Sumner; "Silver and Copper in China," by Dr. J. Edkins. "Characteristics of Canadian Economic History," by Professor A. Shortt; "Economic History of Canada," by Mr. J. C. Hopkins; "National Policy and International Trade," by Mr. Edwin Cannan; "Public Finance, with Special Reference to Canada," by Mr. J. L. McDougall; "Crown Revenues in Canada, 1763-1847," by Professor J. A. McLean; "The Evolution of the Metropolis (New York)" and "Problems of Municipal Government," by Mr. W. H. Hale; "Local Difference in Discount Rates in the United States," by Professor R. M. Breckenridge; "The Conception of Justice in Taxation," by Professor Carl C. Plehn; "The Economic Value of Rhodesia," by Mr. Selous; "Economic Aspects of the Workmen's Compensation Bill." by Mr. J. R. Macdonald; "The Relation of the Employment of Women and Children to that of Men," by Hon. Carroll D. Wright; "The Theory of Economic Choices," by Professor F. H. Giddings; "Reactions from Economic Freedom in the United States," by Mr. R. R. Bowker; "Some Economic Notes on Gold Mining in Canada," by Professor J. Mavor.

The proceedings of the Section of Economics and Statistics are published in the substantial volume which embodies the annual proceedings of the British Association. As a rule the papers are printed

in abstract only and not in full. The report is issued by the Association and can be obtained from the Assistant General Secretary, Mr. G. Griffith, College Road, Harrow, England.

SCOTTISH SOCIETY OF ECONOMISTS.

A number of persons interested in the study of economics organized a Scottish Society of Economists on the twenty-ninth of June, 1897. Professor J. Shield Nicholson was elected President, and Mr. John H. Romanes, whose address is 44 Queen street, Edinburgh, was chosen Secretary. The Society proposes to hold monthly meetings during the winter for the reading and discussion of papers on economic and kindred subjects. No program in regard to publication has yet been formulated.

AMERICAN SOCIAL SCIENCE ASSOCIATION.

The annual meeting of the American Social Science Association was held, according to the usual custom, at Saratoga, N. Y. The Association was in session from August 30 until September 3. The program included an annual address by Hon. S. E. Baldwin entitled "Absolute Power: An American Institution." The proceedings of the departments were as follows: Department of Health—Remarks by Stephen Smith, M. D., of New York, on "The Importance of a High Grade of Physical Health in the Following Classes of Inmates of Public Institutions with a View to their Cure, Development, or Reformation, and the Best Method of Securing such Health." Papers read by P. M. Wise, M. D., on "The Insane;" W. P. Spratling, M. D., "The Epileptic;" J. C. Carson, M. D., "The Feeble-minded;" J. F. Fitzgerald, M. D., "The Idiotic;" "H. D. Wey, M. D., "The Young Convict." Department of Jurisprudence—"Our Foreign Policy, and its Relation to Domestic Problems," by Professor T. S. Woolsey, of New Haven, Conn.; "The Attitude of Courts toward Labor Questions, and the Bearing of Our Constitutions upon Labor Legislation," by F. J. Stimson, Esq., of Boston; "How Far May We Abolish Prisons?" by Mr. W. M. F. Round, of New York; address on "John Marshall," by Hon. Henry B. Brown, Associate Justice of the Supreme Court of the United States. Department of Finance and Social Economy—"The Progress in Social Economy since 1874," by Mr. F. B. Sanborn, of Concord Mass.; "Causes of the Fall in Prices since 1872," by Professor J. W. Jenks, of Cornell University; "The Production and Consumption of the Precious Metals," by Professor S. M. Lindsay, of the University of Pennsylvania; "Trade Schools," by Joseph Lee, Esq., of Brookline, Mass.; discussion of the "George Junior Republic," led by Professor Jenks, and a paper on "Constructive Phylogeny," by Smith Baker, M. D., of Utica, N. Y.

Mr. Frank B. Sanborn retired from the office of General Secretary, which he has filled with so much ability since the foundation of the organization. The officers for the ensuing year are: President, Simeon E. Baldwin, LL. D., New Haven, and General Secretary, Frederick Stanley Root, New Haven.

The proceedings of the Association are published in an annual volume entitled the *Journal of Social Science*.

AMERICAN ASSOCIATION FOR THE ADVANCEMENT OF SCIENCE.

During the meeting of the American Association for the Advancement of Science, held in Detroit in the early part of August, 1897, the following papers were read in the Section of Economics and Statistics: "Improvident Civilization," by Mr. R. T. Colburn, Elizabeth, N. J.; "Racial Deterioration; the Increase of Suicide," by Mr. Lawrence Irwell, Buffalo, N. Y.; "Wheat Consumption in the United States," by Mr. Henry Farquhar, Department of Agriculture, Washington, D. C.; "The Municipal System of Ontario," by C. C. James, M. A., Toronto; "The New Canadian Tariff," by Professor James Mavor, Toronto; "Suggestions for an International Conference on Diversity of Languages," by Mr. R. T. Colburn, Elizabeth, N. J.; "Tariffs and Trade," by Mr. Archibald Blue, Bureau of Mines, Toronto; "The Course of Ontario Agriculture during the Past Ten Years" by C. C. James, M. A., Toronto; "The United States Idea in Laying Out the Public Lands and the Evils Resulting Therefrom," by Mr. B. W. De Courcy, Tacoma, Wash.; "Labor Restrictions as Potent Factors in Social Evolution," by Dr. Charles Porter Hart, Wyoming, Ohio; "The Competition of Gratuitous Workers," by Miss Mary Foster, Buffalo, N. Y.; "The Economic Position of Women," by Miss Mary Foster; "Contributions to the Development of Meteorology by the Smithsonian Institution," by Dr. Marcus Benjamin, Washington, D. C.; "Civil Service Reform: (1) Conflict with the Spoils System in the State of New York, (2) Relation of the System to the Question of State and Municipal Ownership of Quasi Public Works," by William H. Hale, Ph. D., Brooklyn, N. Y.; "A Method of Preserving the Natural Fertility of the Land," by Mr. B. W. De Courcy; "The True Meaning of the Sugar Schedule of the New Tariff," by Professor H. W. Wiley, Department of Agriculture, Washington, D. C.

The papers will be published in the annual volume of the Proceedings of this Association as usual. Professor F. W. Putnam, of Cambridge, who was elected President for the ensuing meeting, will continue to act as Permanent Secretary during the coming year.

NATIONAL CONFERENCE OF CHARITIES AND CORRECTION.

This important body held its twenty-fourth national conference at Toronto, July 7 to 14, 1897. Like its predecessors this meeting was large and enthusiastic, a great gathering of earnest men and women bound together by a common interest in the welfare of humanity. As at previous sessions the program was long and interesting. Through the arrangement of sections a large number of papers were brought before the conference. We can only call attention here to the leading papers and addresses read in the general sessions. Apart from the opening session of a formal nature, at which the president, Alexander Johnson, of Fort Wayne, Ind., delivered his annual address, the general sessions were in the charge of various committees. The program of these sessions was as follows: Committee on Soldiers' and Sailors' Homes,—The Nation and the Veteran, Mr. H. A. Castle; Limitations of the Soldiers' Home System, Mr. C. E. Faulkner; Administration of Soldiers' Homes, Mr. M. F. Force. Committee on Juvenile Reformatories,—Seven Years in a Juvenile Reformatory, Mr. T. H. Briggs; Cultivation of Habits of Thrift, Mrs. M. E. Fairbanks; Do Reform Schools Reform; Mr. L. D. Drake. Committee on Child Saving,—Report of the Committee, Mr. C. E. Faulkner; Sunday School as a Child Saving Mission, Rev. D. R. Milner; Prevention of Abandonment or Neglect of Children, Rev. J. R. Black. Committee on Prison Reform,—Need of Radical Prison Reform, Mr. P. C. Garrett; The Probation System, Mr. C. T. Lewis; The Indeterminate Sentence, Mr. W. T. Spalding; European Prison Policies, Mr. S. J. Barrows. Committee on Municipal and County Charities,—Nativities of the Inmates in the Public Institutions of New York City, Mr. B. C. Matthews; Work of the Charities Aid Association of New York State, Mr. H. Folks. Committee on the Care of the Insane and Epileptics,—Relation of the Public to the Insane, Mr. D. Clark; After Care of Recovered and Convalescent Insane Patients, Mr. R. Dewey; Care of Epileptics, Mr. H. C. Rutter; Education of the Epileptic, Mr. Wm. P. Spratting. Committee on Organization of Charity,—Organized and Unorganized Charity, Mr. A. O. Crozier; Abolish Charity by Removing Causes of Poverty, Hon. H. S. Pin-gree; Developing the Social Updraft, Mr. F. G. Peabody; Abolition of Poverty, Mr. S. S. Craig; Organization of Charity in its Practical Bearings, Mr. N. S. Rosenau. Committee on Social Settlements,—Addresses by Miss J. Addams, Rev. R. N. Ely, Rev. Percy Alden. Committee on Care of the Feeble Minded, Present Status of the Feeble Minded, Prevention, Mr. F. M. Powell; State Regulation

of Marriage, Mrs. K. G. Wells; Child Study as Applied to the Defectives, by Mr. W. O. Krohn.

The annual volumes of the conference proceedings have become a standard source of information in regard to all questions in the broad field of charities and correction. They contain not only the general papers but an account of the no less important but more specialized work of the numerous sections. The success of the conference and the position which it has taken are largely due to the untiring efforts of its able general Secretary, Mr. Hastings H. Hart, of St. Paul, Minn. The Annual Proceedings, a volume of from five to six hundred pages, is published by Geo. H. Ellis & Co., Boston.

SAVINGS BANKS ASSOCIATION OF THE STATE OF NEW YORK.

The fourth annual convention of this organization was held in New York May 20, 1897. The proceedings published by the Association contain discussions of "Postal Savings Banks;" a report upon "Savings Banks Legislation" in the State of New York; an address by Hon. William L. Trenholm, former Comptroller of the Currency, on "Labor and Capital," and an address by Hon. Edward Atkinson on "One Function of the Savings Bank: Its Importance as a Lender or Distributer of Capital."

The officers of the Association are: President, Mr. John Harsen Rhoades, President of the Greenwich Savings Bank, N. Y., and Secretary, Mr. William G. Conklin, of the Franklin Savings Bank, N. Y.

UNITED STATES LEAGUE OF LOCAL BUILDING AND LOAN ASSOCIATIONS.

The fifth annual meeting of this organization was held in Detroit July 28 and 29, 1897. In addition to the more formal proceedings of the organization the following papers, describing some of the economic as well as technical aspects of building and loan associations, were read: "Security Found in Local Building Societies," by Mr. Addison R. Burke; "The Moral Effect Upon the Community of Systematic Saving," by Mr. J. Warren Bailey; "The Value of Permanence and Stability in Building and Loan Associations," by Judge I. H. C. Royce; "The Reserve or Contingent Fund," by Mr. Joseph H. Paist; "Some Fruits of National Methods," by Mr. Thomas J. Fitzmorris; "Collective Capital," by Mr. William C. Sheppard; "Building and Loan Associations of Kansas," by Mr. C. S. Hartough; "Co-operation," by Mr. Henry M. Walker; "In the Home Idea is the Brightest Hope of Mankind," by Mr. Frank L. Wells; "What Local Building Associations Have Done for Philadelphia and Her

People," by Mr. Joseph K. Gamble; "The Home," by Mr. William H. Page; "Opposition to and Adverse Criticism of Local Building and Loan Associations," by Mr. J. W. Sutton; "A Few Notes on the Management of a Co-operative Bank," by Mr. D. Eldredge; "Rights and Duties of Building and Loan Association Stockholders and Their Relation to Creditors," by Mr. A. J. Duncan; "The Services and Influence of Our State Leagues in Shaping and Guiding Building Association Legislation," by Hon. James Clarency; "Apportionment of Profits," by Mr. Albert S. Barnes; "The Interest Reduction Plan," by Mr. Charles F. Kolb; "A Good Title," by Mr. Samuel S. Gleason.

At the election of officers Mr. Lake W. Sanborn, of Galesburg, Ill., was elected President, and Mr. H. F. Cellarius, whose address is 218 Government Building, Cincinnati, was elected Secretary for the coming year. A report of the proceedings of the convention is published by the society.

NOTES ON MUNICIPAL GOVERNMENT.

AMERICAN CITIES.

National Convention of Mayors and Councilmen.—The first National Convention of Mayors and Councilmen of cities of the United States was held at Columbus, O., during the four days from September 28 to October 1, inclusive. As a result of this meeting a permanent association has been formed for the purpose of conducting research work and annual discussions on municipal affairs. The general subjects discussed at the meeting were the organization, function and operation of the police and fire departments; the relation of the municipality to the gas and water supply and street railways, and the general subject of street lighting, street cleaning, street paving and drainage. Among the special papers prepared were those by Josiah Quincy, Mayor of Boston, on "Municipal Affairs as Administered in Boston;" Hazen S. Pingree, Governor of Michigan, on "Out-door Relief by Municipalities," and "The Federal Plan of Municipal Government," by Dr. Washington Gladden, of Columbus.

New York City.—New York City has within recent years adopted the policy of direct municipal employment in the Street Cleaning Department. The results of this experiment have been very satisfactory, especially in the direction of maintaining satisfactory relations with the men employed. The commissioner of street cleaning has encouraged the formation of a union among the sweepers and drivers. A "Board of Conference," consists of five representatives of this union, the general superintendent of street cleaning, the chief clerk, one district superintendent, one section foreman and one stable foreman. At the meetings of this board "everything connected with the work, the relations with the commissioner and his subordinates, and all questions of discipline, duties, pay, etc., in which they are interested," are discussed with perfect freedom. This board elects a permanent chairman and a secretary; one of these is chosen from the five representatives of the labor union. In case the board cannot come to an agreement, the chairman and secretary argue the case before the commissioner, who is then to give a final decision. This board has been in active operation little over a year. During this period it has been very successful in maintaining amicable relations between the men and the superintending officials.

Mayorally Election. The election of the first mayor for Greater New York has been one of the most interesting in the history of American municipalities. For the first time, the issue between those who believe in independent municipal parties and the regular national and state political organizations, was definitely drawn. The election of 1894, while marking a definite step in this direction, was in no sense conclusive as to the possibility of electing officials on strictly local issues. The union of the Independent Citizens' movement with the regular Republican organization was in the nature of a compromise, and as is the case with most compromises, failed to decide the real issue. Those who have closely watched the reform movement in New York City during the last few years, are of the opinion that the compromise then effected with the Republican party rather weakened than strengthened the development of an independent local party. When, therefore, it became a question of nominating candidates for the now consolidated Greater New York, the feeling of those who had led the reform movement in the previous election was, that the Independent Citizens' party should make the attempt to stand on its own feet unhampered by any alliances with other political organizations. For this purpose a popular organization was formed, embracing members in all parts of the territory of the new municipality. The new organization took the name of Citizens' Union. The spirit that pervaded it from the very beginning was that of complete independence from either of the regularly organized national parties. Before any of the other parties had taken action, the Citizens' Union nominated Hon. Seth Low for mayor, who accepted the nomination. The Union refused to enter into any conferences with the Republican party, which for a time seemed disposed to place Mr. Low on their ticket. As a result of this independent stand taken by the new organization and because of the further declaration that the Citizens' Union intended to nominate candidates for the minor offices, the Republican party determined to place the full quota of its own candidates in the field, and nominated General Benjamin F. Tracy for the mayoralty.

The Tammany organization of the Democratic party, having nominated its candidates, there were three tickets in the field. To add to the complexity and uncertainty of the situation, the Bryan or Silver Democrats nominated Henry George for mayor, and also a full list of candidates for the other offices. Finally, another faction of the Democratic party, known as the O'Brien Democrats, nominated an independent ticket. The large vote cast for the Citizens' Union has proven to the people of New York as well as to the other

cities of the United States, that it is possible to reconcile a large part of our population with the idea that candidates for local office are to be judged on the basis of their fitness for the same, and that the views of candidates are to be judged with reference to local, rather than national or state issues. A victory for this independent municipal party would have been a victory of national rather than local importance. As it is, a strong incentive has been given to similar organizations throughout the country.

Brooklyn.—*Consolidation and Brooklyn Finances.** The charter of New York, under which Brooklyn will be governed after January 1, provides that the enlarged city shall assume all the debts and obligations of all the communities absorbed. This means that the new city will assume the responsibility of paying the present Brooklyn debt. The charter also provides that the tax rate and assessment shall be uniform throughout the consolidated territory. This means that as Brooklyn's debt is greater in proportion to the assessed value of the property in the city than New York's debt, the taxpayers in the present city of New York will have to pay a part of the Brooklyn debt. As Brooklyn property is assessed on a valuation of 70 per cent and New York property on a valuation of 50 per cent, an equalization of the assessment will benefit Brooklyn taxpayers. It has been estimated that this benefit will amount to \$8 or \$10 on every \$1000 of assessed valuation. In 1898 the people of Brooklyn will pay no taxes. At present Brooklynites pay their taxes in advance at the beginning of the year, in New York taxes are paid at the end of the year after the money (which has been raised on city certificates) has been spent. That taxes may be collected at the same time this adjustment has to be made.

Philadelphia.—*Report on Water Supply.* The Director of Public Works has just published an exhaustive report on the water supply of the city. During the last few years the sentiment against the continuance of the present sources of supply has been growing, and a number of investigations have been undertaken with a view to ascertaining other available sources in the vicinity. Surveys have been made of a number of districts, some of which have been reported favorably by committees of councils. In all cases, however, the cost of obtaining pure water from these new districts was not less than \$15,000,000 and in some cases exceeded \$30,000,000. The recent improvement in methods of filtration has again turned attention to the possibilities of the present supply, and has, to a certain extent, reconciled the opponents of the present system with the idea of further utilizing the actual sources.

* Communication of F. H. Gunnison, Esq.

The Director of Public Works, after careful examination, is led to the conclusion that the "future demands for a municipal water supply will not make it necessary to seek any source other than the waters of the Delaware and Schuylkill rivers." Filtration, in the opinion of the director, has become an absolute necessity, for the water taken from the Delaware river is unfit for use in its natural state. Upon the subject of filtration, the director favors a system of sand filters, to be constructed and owned by the city. As to the cost of construction, the estimates submitted to the department differ greatly. The minimum cost would probably be \$20,000 per million gallons of filtering capacity per twenty-four hours. This includes the cost of the land. Upon this basis a 400,000,000 gallon plant, which would be required by the city, would cost from \$8,000,000 to \$10,000,000. As regards the cost of maintenance, which is an important item in the sand filtration system, one of the companies offers to do the work for \$1.85 per million gallons.

Leasing of the Gas Works. For a number of years past offers have been made to the city of Philadelphia by various private corporations looking toward the leasing of the gas works now owned and operated by the city. Although under the city's management the price of gas has been steadily decreasing, it has been felt that the quality was not up to the standard which improved methods of production demand. It was not until recently, however, that the offers were seriously considered, either by councils or the public at large. Within the last few months, however, several powerful corporations have renewed their offers, and not only have these offers been considered by the finance committee of councils, but the committee has favorably recommended one of the propositions for acceptance by the city. The outlook at the present time is that the city's plant will be handed over to a private corporation on a long-term lease. The proposition has aroused considerable opposition among the citizens. The gas works have been in the hands of the city since 1841, but it was not until 1885 that a form of responsible management was adopted. During the period between 1841 and 1885, the management of the gas works was vested in a board of trustees with whose policy councils was unable to interfere. The courts held that to permit the interference of councils would destroy the guarantee of the bondholders who had taken the bonds on the faith of continued management by the board originally vested with the management of the gas works. The period of incompetency and corruption which marked the rule of the Gas Trust, has remained one of the dark chapters in the municipal history of Philadelphia, and accounts to a large extent for the

feeling of distrust of the population toward public management. Since 1885, however, the gas works have been under the control of one of the responsible departments of the city government. Since that time there has been a steady improvement in the quality of gas, while the price has been reduced from \$1.75 to one dollar.

One of the great difficulties with which the Department of Public Works has had to contend, has been the steady refusal of councils to make appropriations sufficient for the improvement of the plant. It is true, that the large indebtedness of the city of Philadelphia, together with the fact that it has nearly reached the limit prescribed in the constitution, offered a certain excuse for the inaction of councils, although a close examination of the facts will show that the excuse has been used to permit private corporations to absorb the most profitable part of the city's gas making. Councils have largely impaired the financial position of the works through contracts with private companies to furnish water-gas at a price far above the cost of manufacture. It is estimated that water-gas can be placed in holders at from twenty to twenty-five cents per thousand cubic feet, whereas the city pays thirty-seven cents. While, therefore, the condition of the gas works, so far as it is unsatisfactory at the present time, is due to the short-sighted policy of councils, the means of improvement are clear to every one, as is also the possibility of making this the most profitable of the city's public works. From a purely business standpoint, therefore, the proposition to lease the city's works ought not to be entertained unless the lessee offers an equivalent for the value of the franchise. The question whether the city should, under any circumstances, divest itself of so distinctly a public function as the supply of gas for public and private purposes, is one into which we cannot enter at present. Suffice it to say that, in addition to the question of possible profit, there is the broader question of the social function of the municipality in the administration of public works of this character. Thus, the experience of the English cities has shown that through the reduction of the price of gas to little more than its cost of production, the city is able to exert a far-reaching influence on the social and industrial life of the community. Thus, with gas at fifty-four cents per thousand cubic feet as in Glasgow, Manchester and Birmingham, the gas stove supplants the wasteful coal stove, and the introduction of the gas-motor furnishes the possibility of successful competition by the small manufacturer as against the large producer. But, even disregarding these more general questions of public policy, none of the offers made up to the present time would assure to the city anything like an adequate return for the franchise of exclusive supply of gas

in a great city like Philadelphia. The offer of one company is as follows: First, the company is to have the exclusive privilege of supplying gas for public and private purposes for a period of thirty years; secondly, the company agrees to expend within three years \$5,000,000 for the alteration, replacement, improvement, maintenance, repair, extension and betterment of the work and at least \$15,000,000 during the period of the lease; third, the company is to supply the city with seven hundred million cubic feet of gas free of charge; fourth, the price of gas is to be gradually reduced during the period of thirty years from \$1 to 75 cents, the reduction to be dependent upon ordinance of councils requiring the same; fifth, in case the price is maintained at \$1, the city is to receive an annual rental of from 10 to 25 cents per thousand cubic feet; sixth, the city of Philadelphia, at the end of the term, namely, December 31, 1927, "to receive the works without charge in the condition of alteration, improvement and change in which the same shall then exist."

A careful examination of the provisions of the lease will show that in most cases the advantages offered are illusory rather than real. The long term of the lease makes it, in effect, a sale of the Gas Works; the provision of expenditure of \$5,000,000 may be practically nullified because of the presence of the word "maintenance," which might mean the ordinary running expenses of the plant. As regards the offer to furnish the city with seven hundred million of cubic feet of gas free of charge, it must be remembered that in 1896 the city used over six hundred and seventy-four million cubic feet, and that with the ordinary rate of increase the year 1897 will bring the public consumption of gas above seven hundred million cubic feet. In other words, from the very beginning of the lease the city will become a purchaser of gas. According to the terms of the proposed lease, the price of gas during the entire period will never go below 75 cents. When it is remembered that a construction company offered to place gas in the holders of the city for 25 cents per thousand cubic feet, and that according to the estimates of experts the cost of distribution should not exceed 10 cents, the enormous profits which the company will derive from the franchise are apparent. That the various corporations are fully aware of the possibility of such profits is proven by the fact that another responsible company offered to abide by all the provisions of the United Gas Improvement Company's offer described above, and in addition to pay to the city annual rentals aggregating \$37,500,000 during the thirty years. Unfortunately, however, the United Gas Improvement Company, for some reason or other, seems to have the exclusive monopoly of the committee's interest and attention.

It is possible that when the leasing ordinance is submitted to the two branches of councils, the provisions may be modified. In fact, the upper branch adopted a resolution to submit the leasing of the works to the people at the Fall election, but the lower body voted against it. Whatever the outcome, the agitation has had the effect of calling the attention of the citizens to the hostile attitude of councils towards the improvement of the gas works. It has aroused an interest in municipal affairs such as Philadelphia has not witnessed for many years. A considerable portion of the population feel that the leasing of the gas works means the abandonment of a distinctly public function; that to this extent it diminishes the prestige of the city government and tends to increase that apathy of the population which has been the cause of so much municipal mismanagement.

Cleveland.*—*Street Railway Fares.* The city administration has precipitated a fight with the street railway companies through the threat to regulate fares. An ordinance was introduced some weeks ago providing for the reduction of fares to three cents on one of the lines. A citizens' committee of five was appointed by the council to confer with the street railroads in the hope of a compromise, but the committee declined to serve. The contest remains the absorbing topic of interest in council proceedings, and at the present writing there is considerable probability that the friends of the ordinance will muster sufficient force to pass it. Meetings have been held almost nightly in the various wards of the city, and an immense amount of popular clamor and enthusiasm has been raised in favor of the ordinance. The railway companies naturally oppose the measure and insist that the ordinance would be illegal if passed. The city, on the other hand, maintains that the right to reduce fares is a reserved one existing in favor of the city in the original grants made to individual lines which have since been consolidated. In case the ordinance is passed, it will probably be carried to the courts, and, as was the case in the gas fight of some years ago, when the rates of illuminating gas were reduced to 80 cents per thousand, the issue will probably be determined on the ground of the reasonableness of the ordinance and the rate of fare.

The Big Consolidated road, which is not interested in the present ordinance, has made offers of compromise on the ground that, while denying any right of the city to make such a change, they desire to adjust the matter amicably rather than incur the hostility of the public by a prolonged fight. As a concession, they have offered universal transfers over all the roads of the city and 5 per cent of

* Communication of Frederic C. Howe, Esq.

their gross earnings, on condition that they receive certain extensions of their grants. At the present time the roads sell eleven tickets for fifty cents, and pave about fifteen feet of the roadway.

Municipal Association.—The Municipal Association, which is a body of business and professional men of the city, has been devoting itself of late to an investigation of the finances of the county and the county commissioners. A report of the secretary based upon a thorough examination shows the wildest extravagance in their expenditures; that money is expended for the advancement of personal and political ends, and that the county for years has been systematically defrauded by contractors and other interested persons. An examining committee of two thoroughly competent men has been appointed by the Common Pleas Court, and it is hoped that their report will bring about some change in existing conditions. The expenditures of the commissioners amount to hundreds of thousands of dollars annually and they are made without publicity, competitive bids or contracts.

The Municipal Association is also advancing the cause of civil service reform in the state. A bill has been drafted, and with the co-operation of other organizations such as the State Chamber of Commerce, the Board of Trade, etc., hopes to secure its passage by the legislature, which meets in January.

Washington.—Charities. In the Department of Public Charities important steps in the direction of progress have been taken. For some time the question of the advisability of continuing the granting of public moneys to private charities has been considered by Congress. An act was passed—to take effect the coming fiscal year—prohibiting the granting of public money to sectarian institutions. A congressional joint-committee is engaged at the present time in investigating the charities of the District. Recently a new Superintendent of Charities has been appointed who is especially trained in sociological and charitable work. The first changes proposed by him are contained in his estimates for the ensuing year—just submitted to the District Commissioners. The proposed change is in conformity with the law passed by Congress, and advocates the abandonment of the granting of public subsidies to private institutions, and the adoption of the plan of accomplishing the public work through public agencies, at all times under the control of public authority.

California.—The tendency toward central control of municipalities in the granting of franchises, is illustrated by a law recently passed by the Legislature of California. According to the provisions of the act, every franchise to telegraph or telephone companies, street

railroads, gas, water, electric power or light companies, must be sold at auction at a certain percentage of the gross receipts. The amount must not be less than three per cent. The law permits the local authorities to remit such payment during the first five years of operation. A singular omission of the act is the failure to specify the duration of the franchise. Local authorities are thus at liberty to grant a franchise for an indefinite period.

FOREIGN CITIES.

London.—The committee appointed to investigate the charges against the "Works Department" of the London County Council, has published a report containing an exhaustive discussion of the relation of the municipal authorities to the execution of public works. The department officials were charged with having so arranged the accounts as to show a more favorable condition of certain portions of the work than was justified by the facts. This, it was claimed, had been done by the transference of items from one account to another. In the report the committee finds that these charges are substantially true; that a number of fictitious entries, amounting to about \$36,000, had been made, with a resulting falsification of the cost of certain public works, the apparent cost of some being decreased by amounts which were included in the cost of others. No direct misappropriation of the funds was discovered. While severely criticising these financial transactions, the committee strongly defends the policy of the council in extending the system of direct employment of labor. The investigation shows but little to discredit the system. With a few additional safeguards, the dangers at present involved can be, to a large extent, eliminated.

The establishment of the Works Department was the direct result of the new labor policy of the council inaugurated in 1889. The wages and hours of labor of the employes of contractors were prescribed by the council and inserted in the contracts for public work. This policy led to difficulties in securing bids. The council then resolved to establish an independent Department of Works which should undertake the work of repairs and also the construction of a certain portion of new public works. During the year 1892 a number of sewers were constructed by the department. It was found that although the "labor clauses" were maintained the cost was less than that of the lowest bidding contractor. Soon after the economy of the new method was proven, the construction of repair shops in different portions of the metropolitan area and the maintenance of a permanent force were authorized. The Works Department now

extended its operations to the construction of laborers' dwellings, hospitals, fire stations, etc. The results were uniformly favorable. Recently, suspicions of unwarranted financial operations were aroused. The opponents of direct execution of public works by the municipality led a violent attack against the policy of the council. The appointment of a committee of investigation and the report here mentioned followed. On the whole, it may be said that the report fully vindicates the policy of the council. The committee advocates the maintenance of the system, recommending certain changes in organization. A Works Board, composed of representatives from the nine important committees of the county council, is to be established, to which shall be referred propositions of individual committees desiring work to be done without the intervention of the contractor. Under the direction of this works board, a works manager is to carry out the plans referred to him by this board. The minority of the committee recommend the abolition of the whole system of direct municipal management, and advocate a strict adherence to the contract system.

Toronto.—Within recent years the city of Toronto has been attracting much attention through the adoption of this policy in connection with the highway department. The results of this work are stated in the following communication received from the street commissioner, Mr. John Jones. Speaking of the work accomplished under his administration of the department, Mr. Jones says:

“As to its practical operation I am aware of several objections advanced in some quarters against it. Firstly, it is contended that the shrewdness, enterprise and kindred qualities manifested by private firms and corporations in the conduct of their business is lacking to a greater or lesser degree in the performance and supervision of public works by officials acting on behalf of the citizens; in other words that there is a certain perfunctoriness displayed by the latter which is inimical to the highest success. Another objection is that there are too many opportunities afforded for official speculation in connection with positions involving large expenditure, and the disposal of wide patronage. A third contention is that men employed on public undertakings will not yield the same service as when employed by private firms.

“The first two having a certain relationship may be treated together. That they have some weight will not be denied; but that they are insuperable is being disproved every day in scores of municipalities, notably Glasgow and Birmingham, the former particularly. Honest, capable men are to be found in every community who would be glad to give their best services in the interests of their fellow-citizens if the continuity of their positions were assured, and they could rely on being allowed an absolutely free hand in the

discharge of their duties, and to stand or fall by their achievements. For my part I will undertake to perform any branch of our work quite as well, and more cheaply, than if done under private contract, providing the conditions are equal. The third objection I shall deal with later.

"I come now to speak of our experience in regard to the direct employment of day labor. Prior to about the year 1873, everything of a public nature with the exception of street cleaning and scavenging was done under the contract system. In that year a department was organized by the council under the name of the City Commissioner's Department, having charge of general street matters. That date marks the commencement of a movement towards extending public control, which is but another name for the employment of day labor, and it has proceeded steadily up to the present time. About ten years ago my own department was organized, all street matters then or subsequently being placed under it. On my appointment to the position of street commissioner I determined to maintain and extend the principle of direct control of all branches of work placed in my charge, as opportunity offered, and I think I may affirm in all modesty that my efforts have been to some extent successful. When I took charge of the services of street cleaning, scavenging and street watering, they had been brought completely under civic control, but the "hire" system generally prevailed, that is, a very considerable portion of the work was done by carts and teams hired from private parties. Even this was ahead of the contract system, but it had many drawbacks; for instance, it gave opportunity for wirepulling and log-rolling to obtain an extra share of the work, and carts and teams would be recommended by alderman and other influential people which were unfit for our purpose. Another drawback was the lack of continuity in the performance of the work, arising from the constant changing of the men, thus making it next to impossible to locate derelictions of duty. The corporation at that time owned a considerable number of wagons, sweepers, horses, etc.; but there was no provision for renewing or repairing same, everything being supplied by local firms and tradesmen. It will readily be understood what scrambling there was for patronage, resulting in high priced and grossly inferior work. These things I set myself to reform. At the present time we own over one hundred horses, fully equipped, which are boarded in three stables erected in various parts of the city. We own a full street sweeping, street watering and scavenging plant, all of which are manufactured at our shops. The "hire" system is nearly, not quite, abolished so far as these very important services are concerned. It must not be supposed, however, that all this was

achieved without opposition. Tradesmen, the laboring element, owners of carts, and a certain section of the aldermen, have bitterly attacked every change, the latter chiefly because of the pressure brought to bear upon them by those of their constituents who were annoyed to see a fruitful source of revenue cut off. The agitation to revert to the former system has still some life in it, but the citizens themselves may be trusted to prevent its success, since it has been plainly demonstrated that the present system is superior from every point of view.

“Regarding other branches of public work outside of the services just dealt with, comprising sidewalk, sewer and water-works construction, the first two only are controlled by this department, the latter two belonging to separate departments. All sidewalks are constructed under municipal control with the exception of those composed of a patent cement, known as “granolithic,” which is controlled by a private firm. Walks of this character are laid wherever the property owners petition for same, the cost being borne by the persons whose properties are benefited.

“Roadways, generally speaking, are constructed under the contract system. Now and then we put down a pavement, but the opposition from the contracting element is too strong yet to allow of the day labor system making much headway. It may be asked why with the advantages of a partial system of day labor, such as I have above referred to, in plain view, there should be any difficulty in extending its operations? The answer is simply that the department is not allowed to compete on even terms with private firms. The latter are at liberty to employ the best men obtainable. We are not allowed to do so. Times are unfortunately a little bad with us at present, and as a result there is an exceptionable number of unemployed of all trades, in addition to a very large contingent of common laborers, some of them old and infirm. As many of the latter have never done anything but corporation work an opening has to be found for them, otherwise they would starve. The employment of these men would not perhaps be of very great disadvantage if the rate of wages was graded according to their strength and capacity. But it is not permitted us to make any such distinction. A by-law of the council, passed some years ago, provides a minimum rate of fifteen cents per hour for all corporation employes, and although the idea of its promoters was in the main good, and in some respects has been of advantage to the men, in others it has worked the opposite, particularly in the case of the older men, contractors preferring younger men, who are always obtainable. The by-law referred to applies equally to city work done under contract.

SOCIOLOGICAL NOTES.

Increase of Insanity in London.—The Asylums Committee of the County Council in its last annual report records the number of imbeciles of all classes on the first of last January as 19,954, or an increase of about 700 compared with 1896, and 754 compared with 1895. London has a far larger proportion of lunatics compared with the total number in England and Wales than the relative proportion of population in the two areas would warrant. The publication entitled *London*, for September 16, 1897, in an article on "Lunacy in London," reviews this report at some length and produces a diagram which gives a very vivid picture of the increase of insanity, of insane paupers, of paupers in general as compared with the total population of London for the several years from 1889 to 1896 inclusive. It states that it is generally amongst the poorest class that the greatest percentage of insanity is found. A table showing the occupations of 1807 patients admitted last year to the asylums, indicates that there were 285 laborers, 137 with no occupations, 83 ill-paid clerks, 43 carpenters, 33 boot and shoe makers, 44 tailors, 55 printers, and 43 porters. Of the women admitted, 392 were classed as housewives, 259 domestic servants, 86 charwomen, 39 laundresses, 43 dressmakers, 44 tailoresses. There was not a uniform classification of the causes as given by the medical officers of the different asylums, but a table is given containing a list of the chief causes as follows: 740 hereditary influences, direct or collateral; 717 previous attacks; 611 drink; 301 old age and senility; 269 adverse circumstances, business anxieties, worry, over-work, over-exertion, mental anxiety; 134 domestic troubles, including loss of relatives; 133 change of life; 49 privation and starvation.

It is also stated that these figures probably contain some duplications but are sufficiently indicative of the general causes operating in London.

Free Medical Aid in Dispensaries.*—It is a much mooted question among members of the medical profession as to how far it is wise to proffer free medical aid to the public. The competition for practice material among the different medical schools and the younger members of the medical profession generally, has led to a rapid growth of free dispensaries in all our large cities. These are also partially supported by the benevolent public, which contributes because it

* The information in this note has been obtained from the proof sheets of Dr. Kase's paper, which the author very kindly loaned for the purpose at the Editor's request.

regards them as a species of wise charity. The medical profession has also been always most willing to give its services for a similar reason. In an excellent article by Mr. Savage, published in the volume on Hospitals of the report of the International Congress of Charities and Philanthropy, held in Chicago in 1893, there is a review of the growth of the dispensary system in this country, and of some of the attempts to check its abuse, notably those in New York City.

One of the latest studies of the question and one of considerable value because of the method pursued in the investigation, is contained in a paper submitted by Dr. Edmund H. Kase, of Philadelphia, at a recent gathering of homœopathists at Scranton, Pa. The title of Dr. Kase's paper, which will be published in the proceedings of the society, and also, doubtless, in one of the medical journals, is "Dispensary Abuse: Result of an Investigation of Over One Thousand Consecutive Cases." As a matter of fact, Dr. Kase took 1058 consecutive cases of persons who applied for treatment at the Hahnemann Hospital Dispensary, Philadelphia, between June 7 and July 8, 1897. Dr. Kase questioned and cross-examined each person, and in only three cases failed to get full information of a satisfactory kind. The original record of this investigation is on file at the hospital, and is accessible to the medical profession and others who may show good reason for studying this material.

The total number of cases was divided into eighteen classes in tabulating the returns. The first class includes "patients very poor, evident pauper class, children and elderly people who with difficulty are able to find their daily bread and shelter, includes those out of work most of the time during the past year."

The second class.—Patients who have no one to support but themselves and whose aggregate cash receipts during the past year have averaged less than \$8.00 per week.

Class three.—Same as class two, but with average earnings from \$8.00 up to and including those with \$12.00 per week.

Class four.—Same as class two and three, but with earnings averaging over \$12.00 per week and including those receiving as high as \$15.00 per week.

Class five.—Ditto, with earnings over \$15.00 per week.

Class six.—Ditto, with earnings averaging from \$3.00 to \$5.00 per week, including board.

Class seven.—Ditto, with more than \$5.00 per week, including board.

Class eight.—Patients from families with two or more to support, in which the aggregate cash receipts for the past year averaged \$10.00 or less per week.

Class nine.—Same as class eight, with average earnings of more than \$10.00 and less than \$12.00 per week.

Class ten.—Same as classes eight and nine, with average earnings of \$12.00 per week and upwards, including those as high as \$15.00 per week.

Class eleven.—Ditto, with over \$15.00 per week.

Class twelve.—Patients from families with three to support, in which the aggregate cash receipts for the past year have averaged \$12.00 per week and upwards, including those with \$15.00 per week.

Class thirteen.—Ditto, with average earnings over \$15.00.

Class fourteen.—Patients from families of four to seven to support, in which the aggregate cash receipts for the past year have averaged \$12.00 per week and upwards, including those with \$15.00 per week.

Class fifteen.—Ditto, with average earnings of more than \$15.00 and as high as \$18.00.

Class sixteen.—Ditto, with average earnings over \$18.00.

Class seventeen.—Patients from families of seven to twelve to support, in which the aggregate cash receipts for the past year have averaged \$12.00 per week and upwards as high as \$18.00.

Class eighteen.—Ditto, with average earnings over \$18.00 per week.

The total number of cases distributed among these eighteen classes gave the following figures to each class respectively from one to eighteen: 86, 172, 42, 4, 2, 41, 5, 543, 28, 25, 7, 11, 1, 64, 12, 6, 6, 3.

It would seem from this table that over half the total number of cases were patients with families of two or more to support, in which the aggregate cash receipts for the past year have averaged \$10.00 or less per week. Of the total number of cases, 258 belonged in the medical department of the dispensary; 227 in the surgical; 116 in the eye department, and the balance scattered through ten other departments. This would not seem to lend support to the theory which has been advanced, that the great majority of cases treated in the free dispensaries are those of persons with an abnormal craving for stimulants or medicines of any kind, who become habitués of the medical dispensaries. Many of these cases which Dr. Kase discusses individually are persons owning property and in apparent comfortable circumstances.

In the general conclusions of his paper, however, Dr. Kase is inclined to blame the medical profession for such abuses as exist rather than the public itself. He says in one place: "Without fear of contradiction, however, I feel safe in saying that the great majority of physicians as well as laymen would hardly claim that all of the above 1058 people were deserving of free medical service; on the contrary all will agree that there are some among this list who should not be

allowed to partake of dispensary aid, being totally undeserving of such charity, and some means, therefore, should speedily be applied to correct this abuse, however small it may be, which tends to a wrong diversion of funds and is an open bid for pauperism and dependents."

Dr. Kase brings out a hitherto but little noticed reason why many well-to do persons will go to the dispensary for aid. They are often people who contribute to the support of dispensaries and feel, therefore, that they have a claim as though they were members of a society distributing medical relief. This is especially true in some industrial establishments where firms contribute to the expense of providing a free dispensary with the distinct understanding that their employes shall have free treatment at all times. Dr. Kase admits that in the dispensary where he examined his cases that this fact accounts for some of the better-to-do cases which appear on the records. The accident department of the hospitals also act as feeders to the dispensary and bring in a class of persons who would never think of going to a dispensary on their own account, but who often remain patients of the dispensary until permanently cured. Dr. Kase reaches the conclusion that the real abuse of the dispensary is less than supposed, and that of this real abuse fully 90 per cent is the fault of physicians themselves who indirectly or directly bring or send persons to the dispensary who are able, and in most cases would be willing, to pay a fair compensation for medical advice and attendance.

Factory Inspection in the United States.—In *Bulletin* No. 12 of the United States Department of Labor for September, 1897, Mr. W. F. Willoughby has an article on "The Inspection of Factories and Workshops in the United States," which is in substance the report presented by the department to the recent International Congress held at Brussels.*

The article, in addition to stating the meaning of factory inspection as applied in the United States, reviews briefly the laws in the several states and gives the following summary of the history of such inspection throughout the United States:

"The history of the development of the official inspection of factories and workshops in the United States is like that of the history of all social legislation. One state has led the way by the enactment of tentative measures, which it has afterward developed as dictated by experience. Other states have profited by the example and have taken similar steps. The moral influence of the action of states upon each other in the United States is great. A movement at first grows slowly, but as state after state adopts similar measures the pressure

* *Congrès International des Accidents du Travail et des Assurances sociales*, at Brussels, Belgium, July, 1897.

upon others to do likewise becomes stronger, and the movement tends to advance at a constantly increasing rate.

"In the field of the inspection of factories we are now in the midst of such a movement. Factory inspection in the United States is of comparatively recent development. Though Massachusetts, the first state to take steps in this direction, enacted its first law providing for the inspection of factories in 1877, it was not until six years later, or in 1883, that its example was followed by another state, New Jersey. Wisconsin in the same year provided for inspection through its bureau of labor. Ohio followed in the succeeding year, 1884. The movement, however, once fairly started, has spread with increasing rapidity. In 1886 New York provided for factory inspection. In 1887 Connecticut, Minnesota and Maine did likewise. These were followed by Pennsylvania in 1889, Missouri and Tennessee in 1891, Illinois and Michigan in 1893, and Rhode Island in 1894. There are, therefore, at the present time, fourteen states that have made some provision for factory inspection.

"Fourteen states out of forty-five is, of course, a small proportion. As has been stated, however, it is not a completed movement that is being studied. We are rather in the position of one who in the midst of action stops to look back and see what has been accomplished in order better to determine his course for the future.

"In considering the progress that has been made, moreover, a comparison should be made not with the total number of states, but rather with the states in which the manufacturing industry is largely developed. It will thus be seen that of the New England and Middle States, all of which are manufacturing states, the smaller states alone—New Hampshire, Vermont, Delaware and Maryland—have no inspection. In the Middle Western States, Ohio, Illinois, Michigan, Missouri, Minnesota and Wisconsin have inspection officers. The far Western and Southern States, if we except the slight measure of inspection in Tennessee, are absolutely unrepresented. In these states, however, the manufacturing interests are but little developed.

"Finally, it is important to recognize that the growth of factory inspection lies not only in the creation of new departments in different states, but in the enlargement of the powers and the broadening of the scope of the work of inspection services after they have once been initiated. The principal development of factory inspection is found in the development of each particular bureau.

"An appreciation of this development, therefore, can only be had by studying the development of factory inspection in each state in which action has been taken, after which the general features of the movement can be summarized."

The New Tenement House Laws in New York City.—The results thus far from the new laws put upon the statute books upon the recommendation of the Tenement House Commission of 1894, have been stated briefly in one of the pamphlets of the Citizens' Union, which was published for campaign purposes a few months ago. We quote from it as follows:

“All civilized cities pay great attention to the question of the housing of the masses of the population. In New York it is particularly desirable that the authorities should not neglect this question, for our city is the most crowded of all modern cities. So far as is known, plague-ridden Bombay is the only great city in the world which is anything like as crowded as New York. There is only one city district in all Europe, a part of Prague in Bohemia, which is even half as crowded as parts of New York, where we sometimes see in the neighborhood of 1000 inhabitants to the acre.

“The present city administration found itself charged, from the very start, with the duty of passing upon and enforcing the tenement house laws put on the statute books at the suggestion of the Tenement House Commission of 1894. In New York where more than one-half (about eight-fifteenths) of the whole population lives in tenements, strictly speaking, leaving the tenants of the higher class flats out of the count, this question naturally takes first rank. Mayor Strong approved the new laws promptly, and the machinery for their enforcement was set in motion with as little delay as possible. The change that has been wrought in the short space of two years is very great. It is not within the power of man to remodel the whole body of New York's 40,000 tenements in two or in twenty years; but a vast deal has been done to better the condition of those who live in them. The worst houses have been seized and destroyed, more light and air have been secured to those hereafter to be built, and some of the most serious evils besetting life in the tenements which remain have been abolished.

“The worst of these evils, the risk of midnight fires, has been met, so far as that was possible by action of the authorities, through the banishment of dangerous trades from tenement houses. The cruller bakery was the most hazardous as well as the commonest of these trades. The bakery was always in the basement, and the fat in which the crullers were cooked was boiled in the small hours of the morning when the tenants upstairs were asleep. An accident, the upsetting of a pan of fat on the stove, was the signal for a fire that swept through the house with uncontrollable fury, carrying panic and death to the sleepers. The ‘cruller fire’ was one of the constantly recurring horrors of our city's life. Scores of lives have been sacrificed to the

official neglect that allowed perpetual warning to go unheeded. Within the last year this source of peril has been entirely removed. The fat-boiling bakeries have been driven out of the tenement houses. The Health Department brought 107 suits and obtained 41 judgments for violation of the new law which requires certain safeguards against fire. That broke up the business; 119 bakeries gave the cruller up; 7 made their bakeries fireproof under the direction of the Fire Department, and were licensed to carry on their no longer dangerous trade. Paint and oil stores, feed stores and other depots of inflammable wares in tenement houses have been put under the control of the Fire Department and the Department of Buildings. Since the law was enforced, there has not been an instance of loss of life through neglect of its provisions.

"No tenement has been built in New York in the past two years that has not had (except on corner lots) one-fourth of the lot upon which it stands left open to the light and air. The Tenement House Commission measured a whole block on the east side, typical of the worst tenement traditions, where the interior air-space was only one-fourteenth of the whole area. Ninety-three per cent of the ground was covered with brick and mortar. Under the custom of the Building Department, 78 per cent was the limit for new buildings. Custom is no longer allowed to fix the limit. It is now, under the new law and the action of the Building Department, 75 per cent. The tenant has gained three feet in a hundred. That abomination, the dark bedroom, is gone for good. With 25 per cent of the lot left open, every room can have—must have—a window opening on the outer air. In all tenements built to-day provision is made, by means of fireproof stairs and doors, for preventing fires that break out in the cellar or on the first floor, from reaching the upper part of the building before the tenants have had time to escape. The present Building Department carefully enforces the new laws.

"When a year ago the sanitary police made a census of the tenements, they counted 14,000 that had no light in the hallways at night. The owners were ordered to comply with the new tenement-house law, which requires that such halls shall be lighted not only at night, but by day as well, if no outer light enters. A reinspection showed that two-thirds of the landlords had obeyed the order. A third survey, made last spring, found only 600 halls unlighted below Fourteenth street. Steady pressure is being exerted to compel the lighting of dark halls by day also. The Board of Health has gone about the enforcement of these laws with a wise conservatism that has been more than justified by the results, holding that it is to the largest extent a 'campaign of education' in which it is engaged. It is safe to

predict that in a not very distant day the dark tenement hall will be, with the 'culler fire,' a thing of a bad past.

"The worst of the old rookeries are gone. This is the signal success of the year. The new tenement house law permits the seizure and condemnation of tenements absolutely unfit to live in, upon payment to their owners of a nominal sum. A year ago, upon application of the Good Government Clubs, sixteen rear tenements that were of the most vicious type, were seized, and the tenants ordered out. Other buildings were condemned in quick succession, the death registry serving as the guide of the sanitary officials. The landlords had resort to the courts, but were beaten in a series of decisions, which materially strengthened the Health Department's position. So far ninety-three tenements have been seized—rear buildings, all of them, with one or two exceptions. Thirty have been already destroyed, the city paying the owners from \$50 to \$200 for each; thirteen have been remodeled under direction of the department. The rest have been vacated under the action of the board. The death-rate has come down from 26.26 in the first half of 1887 to 19.60—the lowest in the records of the department—in the corresponding half of 1897, which means a saving of 6629 lives during the six months, had the death-rate of ten years ago been maintained with the population of to-day; or 13,258 for the whole year, supposing the record of the six months to be maintained throughout the year. Other factors, such as the effective cleaning of streets, the better supervision of the milk and food supply, the opening of new parks, and better sanitation every way, enter into this showing; that the demolition of the old rookeries has helped also to effect this good result no one can doubt who recalls the Tenement House Commission's denunciation of them as 'veritable slaughter-houses.' 'The legislation,' said its report, 'which will most favorably affect the death-rate of New York, is such as will do away with the rear tenements, and root out every old, ramshackle, disease-breeding tenement house in the city.'

"Houses front and rear on same lot of which the rear houses were condemned and vacated during 1896:

Total population	3,045
Total deaths, 1891-95 inclusive	958
Annual average of deaths	191.6
Average annual death-rate for five years of all these houses (87 street numbers)	62.9
Normal death-rate of city during same five-year period	24.63

"For every one who dies there are counted twenty-eight who are sick, and sickness to the wage-worker means loss of pay in addition to pain and trouble.

"It is not only necessary to have good laws, but to have these laws intelligently and promptly enforced. The present administration has done well for all the inhabitants of the city in enforcing the new health laws, and the new laws for the better housing of the people."

Present System of Public Charity in Massachusetts.—A determined but hitherto ineffectual effort to reform the system of public charity in Massachusetts has been made on the part of the leading workers in Boston. A commission was recently appointed to investigate the charitable and reformatory interests and institutions of the commonwealth. The commission recommended some radical changes, namely, that a department for children be created to take charge of the dependent and neglected children that are wards of the commonwealth, the department to be under the supervision of a State Board of Charities. Secondly, that a State Board of Insanity be created, to supervise the care of the insane within the commonwealth. Third, that a State Board of Charities be created to supervise all public charities within the commonwealth, and this last board be the successor to all the powers and duties of the present Board of Lunacy and Charity, except the supervision of the insane and care of children. In addition to these recommendations, it is also proposed that the state assume the control and the expense of all the pauper insane, and that the settlement laws be simplified and so modified as to make cities and towns less often liable for the support of non-resident paupers than at present.

The recommendations of the commission are still a matter of public discussion. The sketch which the commission made of the present system and of its results, is of interest to all students of public charities. The report states that public charity in Massachusetts is administered by the state and by the cities and towns.

I. City and town charity consists chiefly in the support of people in almshouses, in giving relief to people in their own homes, and in providing temporary shelter for tramps.

System of Administration.—The almshouses are managed and the relief given by the overseers of the poor of each city and town (and by the Institutions Commissioner of the city of Boston). The tramps are taken charge of sometimes by the overseers of the poor, sometimes by the police.

Statistics.—There are 352 cities and towns, of which 207 have almshouses of their own, 2 have an almshouse in common, and one almshouse is used by 7 towns. The remainder (136) have no almshouses. Some cities and towns have tramp-houses or tramp-rooms, some receive tramps in the almshouse, some in the police stations, and some in a hotel.

On March 31, 1896, the cities and towns were supporting 4972 persons in almshouses; while during the year ending September 30, 1896, they also supported or relieved about 53,000 different persons outside of almshouses—chiefly in their own homes. The average number of tramps lodged at night during that year was 622.7.

There is, besides, the Boston Lunatic Hospital, governed by the Institutions Commissioner of the city of Boston, and containing on September 30, 1896, 182 patients.

II. State charity consists chiefly in the support of people in large institutions.

There are seven state lunatic hospitals and asylums, one hospital for dipsomaniacs, one hospital for epileptics, and two institutions for the feeble-minded (making eleven institutions in all for the mentally defective). There are, besides, the Lyman School for Boys and the State Industrial School for Girls, the State Almshouse for Sane Paupers and some of the chronic insane, and the State Farm, in which paupers, criminals, sane and insane, are received.

System of Administration.—Each of these institutions is governed by a board of trustees, except that the Worcester Lunatic Hospital and the Worcester Insane Asylum are governed by the same board, and the two reform schools are governed by one board, as are also the State Almshouse and the State Farm. Thus there are a total of fifteen state institutions, governed by twelve boards of trustees.

Statistics.—The above-named state institutions contained on September 30, 1896:

Insane persons	5,536
Others mentally defective	539
Sane paupers	1,455
Reform school children	397

7,918

Besides the children in the reform schools, there are in the custody of the schools, but placed out in private families on trial, about 500

Adding these makes a total, in charge of state institutions, of 8,418

Two exceptions: Besides carrying on the above-named institutions, the state has also charge of insane persons boarded in families (of whom there were 129 on September 30, 1896), and of the state children.

The latter are dependent and neglected children and the younger and more tractable of the juvenile offenders. They usually number about 1650. Some of them are placed for a short time in a temporary

home, but the great majority are either boarded or placed without payment of board in private families throughout Massachusetts and in neighboring states.

These two classes of state wards are an exception to the general rule of placing executive control in the hands of special boards of trustees, being both in the control and care of the State Board of Lunacy and Charity

III. *Supervision.*—All the above-named state institutions, the city and town almshouses, the Boston Lunatic Hospital, the McLean Hospital (a private institution) and the thirteen private insane asylums, are subject to visitation, inspection and report on the part of the State Board of Lunacy and Charity. It is also the duty of this board to advise the legislature in regard to appropriations for the state institutions, and to make suggestions in regard to them and concerning the charitable and reformatory interests of the commonwealth; to decide questions arising (*e. g.*, between the various executive boards, state and local, and between Massachusetts and other states and counties) as to the legal obligation and proper place of support, and in some cases to carry out such decisions.

The care of the boarded-out insane and that of the state children, being in the hands of the State Board of Lunacy and Charity itself, are not subject to supervision.

IV. In some cases the relief administered by cities and towns is paid for by the state, and *vice versa*.

Extent of the above system. The whole number of persons dealt with during the year ending September 30, 1896, by the public charities of Massachusetts, as above described, was about 88,000.

This total was composed as follows :

I. Insane in public care:	
Insane in state institutions (liv, 51, 53) *	7,689
Insane in Boston Insane Hospital (79, 80)	673
Insane in city and town almshouses (approximate) (xl)	1,000†
The boarded-out insane (in control of State Board) (91)	149
Total insane in public care	9,511
II. Persons other than the insane in care of state:	
1. Supported in state institutions (including dipsomaniacs, feeble-minded, epileptics, sane paupers, tramps, other criminals and children in reform schools) (liv)	7,930
2. Children placed out from the reform schools (23)	897
3. Children in care of State Board (23, 18)	2,136
Total of Class II	10,963

* References are to pages of the 1896 "Report of the State Board of Lunacy and Charity."

† Probably an underestimate. The number March 31, 1896, was 829 (xl).

III. Persons other than the insane helped by cities and towns:

1. Supported in city and town almshouses (exclusive of the insane) (xxx)	7,878
2. Tramps lodged by cities and towns (estimated)* (xxx)	1,000
3. Persons supported and relieved by cities and towns outside of almshouses, chiefly in their homes (approximate) (viii, first series)	53,000
Total of Class III	63,878

IV. Others dealt with:

Insane in fourteen private hospitals and asylums under supervision of State Board of Lunacy and Charity	424
Boarding-houses for Infants, inspected by State Board: Infants reported on during the year	1,235
Trials of juvenile offenders and neglected children attended by agents of the State Board of Lunacy and Charity (the duty of the board's agent being to carefully investigate each case before trial)	2,984
Total	4,643

Total, allowing for duplications not already allowed for in above figures, about 88,000

This number, 88,000, is about 3½ per cent of the entire population of Massachusetts, or a fraction more than an average of one person in every six families in the state, allowing five persons to the family.

The cost of support and relief for the year ending

September 30, 1896, was	\$2,874,234 (p. viii, first series)
Salaries and traveling and office expenses of State Board of Lunacy and Charity	89,653 (p. 192)

Total cost of relieving pauperism, exclusive of interest on plant \$2,963,887

Main features of the above system.—The above is a very brief, and therefore imperfect, statement of the system of administration, and of the extent, of our public charities. The main features of this system, as has been seen, are:

I. A large number of executive boards, each devoted to the care or relief of a given group of dependents.

II. A board having supervision over the work of the executive boards and over the system of public charity as a whole.

III. Special provision by the state for classes of dependents requiring special treatment; namely, for the insane, the various other classes of mentally defective (feeble-minded, epileptics and dipsomaniacs), and for juvenile offenders.

* There were 227,465 acts of vagrancy reported—a daily average of 622.7 (xxx).

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INDEX OF NAMES.

ABBREVIATIONS.—In the Index the following abbreviations have been used: *pap.*, principal paper by the person named; *b.*, review of book of which the person named is the author; *p. n.*, personal note on the person named; *r.*, review by the person named.

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